

LICENSING APPLICATIONS SUB-COMMITTEE 1 MINUTES - 10 AUGUST 2017

Present: Councillors Woodward (Chair) and Livingston.

5. APPLICATION FOR THE SUMMARY REVIEW OF A PREMISES LICENCE (INTERIM STEPS HEARING) - EVA'S

The Head of Planning, Development and Regulatory Services submitted a report on an application by Police Constable Simon Wheeler on behalf of the Chief Officer of Police for Thames Valley Police, for the summary review of the Premises Licence under section 53A of the Licensing Act 2003 in respect of Eva's, 20 Hosier Street, Reading.

The report stated that a summary review of the Premises Licence had been submitted by Thames Valley Police because the premises had been and continued to be associated with serious disorder. There had been two recent incidents of note. The first had occurred on 30 July 2017 where a large number of police officers had been called to the premises to deal with disorder and one person had been stabbed/slashed across the stomach within the venue and one person had sustained a head injury. A second incident had occurred on 5 August 2017, which had also required a large police presence and the attendance of specialist units to contain sporadic outbreaks of disorder associated with the premises and the event that had been held there. Thames Valley Police had submitted a Certificate under Section 53A(1)(b) of the Licensing Act 2003, which stated that the summary review was necessary to uphold the licensing objectives of the prevention of crime and disorder and the protection of the public.

A copy of the summary review application and appendices were attached to the report at Appendix RF-1.

The Sub-Committee viewed CCTV footage from 30 July 2017 and Police body camera footage from 5 August 2017.

The report stated that the Premises Licence Holder was Bar Mango Limited and the Designated Premises Supervisor was Ms Vanessa Palmer. The existing Premises Licence, a copy of which was attached to the report at Appendix RF-2, permitted the following:

Exhibitions of Films, Indoor Sporting Events, Performance of Live Music, Playing of Recorded Music, Performance of Dance, Anything similar to Live Music, Recorded Music & Performance of Dance

Monday to Sunday 1100 hours until 0300 hours

Provision of Late night Refreshment

Monday to Sunday 2300 hours until 0300 hours

Hours for the Sale by Retail of Alcohol

Monday to Saturday 1100 hours until 0300 hours
Sunday 1200 hours until 0300 hours

Hours the Premises is Open to the Public

Monday to Sunday 1000 hours until 0330 hours

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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 stated in considering the interim steps on receipt of a summary review, the following steps could be considered:

- The modification of the conditions of the premises licence;
- The exclusion of the sale of alcohol as a licensable activity;
- The removal of the Designated Premises Supervisor;
- The suspension of the premises licence.

Any interim steps would take effect immediately and stay in force until determination of the review. The review hearing must be held within 28 days of the application.

The report also set out paragraphs 1.5, 2.1, 12.2, 12.5, 12.6, 12.13 to 12.15, 9.12, 11.2, 11.10, 11.18 and 11.24 to 11.28 of the amended guidance issued under Section 182 of the Licensing Act 2003 April 2017. The report also set out paragraph 10.5.1 of the Council's Statement of Licensing Policy.

PC Simon Wheeler, Thames Valley Police, was present and addressed the Sub-Committee on the application and responded to questions.

The Sub-Committee made the decision to only hear representations from Thames Valley Police and all other parties were excluded.

Resolved -

That, having had regard to the licensing objectives, the oral and written representations made, the Secretary of State's guidance and the Council's Statement of Licensing Policy, the Sub-Committee concluded that it was necessary to suspend the Premises Licence in respect of Eva's, 20 Hosier Street, until determination of the application for review, on the grounds that if the decision to suspend the licence was not taken then there was a likelihood of an occurrence of a similar nature to the previous incidents of serious crime and disorder. The Sub-Committee noted that the two incidents of serious crime and disorder on 30 July 2017 and 5 August 2017 had taken place within a week of each other.

The Sub-Committee considered whether any of the other interim steps were appropriate but decided they were not for the following reasons:

- (a) The Sub-Committee had no confidence that modified conditions would be adhered to by the Premises Licence Holder as conditions had been modified in the past and had not been complied with;

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- (b) The Sub-Committee did not have evidence that alcohol was a contributing factor in the two incidents therefore the exclusion of the sale of alcohol was not considered appropriate;
- (c) The Sub-Committee did not have any evidence that the removal of the Designated Premises Supervisor would have an effect.

The Sub-Committee concluded that the suspension of the Premises Licence was the only option to ensure the licensing objectives were upheld.

(The meeting started at 5.12pm and finished at 7.10pm)