

Present: Councillors Woodward (Chair), D Edwards and Livingston.

15. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - CHINA PALACE

The Head of Planning, Development and Regulatory Services submitted a report on an application by Reading Borough Council Licensing Team for the review of the Premises Licence in respect of China Palace, 43-45 Oxford Road, Reading, RG1 7QG.

The report stated that the Reading Borough Council Licensing Team had submitted the review of the Premises Licence, outlining three visits to the premises on 23 March 2011, 28 October 2015 and 13 July 2017 when the premises had been found employing illegal workers. A total of 11 illegal workers had been found over the three visits to the premises, 6 of whom were found employed at the premises under the current Premises Licence Holder and Designated Premises Supervisor (DPS). The report also stated that during the visit on 13 July 2017 the premises had been found to be in breach of the majority of the conditions on the Premises Licence which further undermined the licensing objectives.

The application sought for the Premises Licence to be revoked immediately due to the seriousness of the crimes discovered at the premises.

A copy of the review application was attached to the report at Appendix I.

The report stated that representations had been received from the following responsible authorities Thames Valley Police, the Immigration Service and Reading Borough Council Environmental Health Team, which were attached to the report at Appendix II to IV. Additional information had been provided by Reading Borough Council Licensing Team, which was attached to the report at Appendix V.

A plan showing the location of the premises and surrounding streets was attached to the report at Appendix VI.

The report stated that the Premises Licence Holder and Designated Premises Supervisor was Mr Hui Chang Yin. The current Premises Licence, a copy of which was attached to the report at Appendix VII, permitted the following:

Playing of Recorded Music and Anything Similar to Live Music, Recorded Music & Performance of Dance indoors

Monday to Sunday 1100 hours until 0200 hours

Entertainment of Karaoke or similar in the Karaoke rooms only.

Hours for the Provision of Late Night Refreshment

Monday to Sunday 2300 hours until 0200 hours

Hours for the Sale by Retail of Alcohol

Monday to Saturday 1000 hours until 0200 hours
Sunday 1200 hours until 0200 hours

LICENSING APPLICATIONS SUB-COMMITTEE 1 MINUTES - 14 NOVEMBER 2017

Hours the Premises are Open of the Public

Monday to Sunday

0800 hours until 0330 hours

Christmas Eve and Sundays preceding a Bank Holiday until 0300 hours the following day.
New Years Eve from the end of permitted hours for that day until the start of the permitted hours the following day.

The report stated that in determining 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 further that in determining the application the Licensing Authority must also have regard to the representations received, the Licensing Authority's statement of licensing policy and any relevant section of the statutory guidance to licensing authorities. Further, in determining the application the Licensing Authority could take such of the following steps as it considered appropriate and proportionate for the promotion of the licensing objectives:

- Take no further action
- To issue formal warnings to the premises supervisor and/or premises licence holder
- Modify the conditions of the licence (including, but not limited to hours of operation of licensable activities)
- Exclude a licensable activity from the scope of the licence
- Remove the designated premises licence supervisor
- Suspend the licence for a period not exceeding three months
- Revoke the licence

(Where the Sub-Committee took a step mentioned in the third and fourth bullet points above it may provide that the modification or exclusion was to have effect for a period not exceeding three months or permanently.)

The report set out paragraphs 1.5, 9.12, 9.13, 9.25, 9.31, 9.38, 9.42, 9.43, 11.1, 11.2, 11.16 to 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 paragraphs 1.5, 7.15.1, 7.15.3 and 10.5.1 of the Council's Statement of Licensing Policy.

Mr Huichang Yin, Premises Licence Holder and Designated Premises Supervisor (DPS) and Mr Wei Hu, Manager of the Premises, were present and addressed the Sub-Committee. Ms Jaiwen Li translated for both Mr Yin and Mr Hu.

Richard French, Reading Borough Council Licensing Team, was present at the meeting and addressed the Sub-Committee on the application. PC Simon Wheeler, Thames Valley Police, Inspector Matt Wilkinson and Russell Angell, Immigration Service, and Katie Heath, Reading Borough Council Environmental Health (Food Safety) were all present at the meeting and addressed the Sub-Committee.

Resolved -

That having reviewed the Premises Licence in respect of China Palace, and having had regard to the four licensing objectives, in particular the prevention of crime and disorder and public safety, and the oral and written representations made, the Secretary of State's guidance, in particular paragraphs 9.12, 9.13, 9.25, 9.38, 9.42, 9.43, 11.18 and 11.24 to 11.28, and the Council's Statement of Licensing Policy, in particular paragraphs 1.5, 7.15.1 and 10.5.1, the Sub-Committee concluded that it would be appropriate and proportionate to revoke the Premises Licence due to:

- (a) the undermining of the prevention of crime and disorder licensing objective by employing illegal workers over a number of years throughout the tenure of the current management;
- (b) the Premise Licence Holder's lack of knowledge of the licensing objectives or willingness to promote them;
- (c) the alarming lack of awareness by the Premises Licence Holder regarding his duties under legislation;
- (d) the extensive breaches of licence conditions;
- (e) the failure to maintain food safety standards;
- (f) the failure to comply with fire safety standards;
- (g) the lack of training for staff;
- (h) the lack of Challenge 25 policy implementation.

16. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - HOUSE OF FRASER

The Head of Planning, Development and Regulatory Services submitted a report on an application by House of Fraser (Stores) Limited for the grant of a Premises Licence in respect of House of Fraser, The Oracle Shopping Centre, Bridge Street, Reading, RG1 2AS.

The Sub-Committee was informed that following agreement by the applicant to the proposed conditions, the representation made in respect of the application had been withdrawn and it was agreed between the parties that a hearing was therefore not required.

(The meeting started at 5.00pm and finished at 7.12pm)