

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

24. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - SUPERSAVE

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 Supersave, 234 Northumberland Avenue, Reading, RG2 7QA.

The report stated that the Reading Borough Council Licensing Team had submitted the review of the Premises Licence, outlining that on 17 May 2017 the premises had been found employing one illegal worker. The report also stated that during the visit on 17 May 2017 the premises had been found to be in breach of the conditions attached to the premises licence and the findings of a subsequent inspection on 11 October 2017 were also extremely poor.

The report stated that in 2014 the Premises Licence Holder had been prosecuted by Reading Borough Council's Trading Standards team for selling and/or storing on the premises counterfeit alcohol and in 2008 the Premises Licence had been reviewed and suspended for six weeks for selling alcohol on two occasions to a 15 year old child.

The application sought for the Premises Licence to be revoked due to the seriousness of the crimes discovered at the premises and the undermining of the licensing objectives.

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 Trading Standards, which were attached to the report at Appendix II to IV.

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

The report stated that the Premises Licence Holder was Supersave (UK) Limited and the Designated Premises Supervisor was Mr Alpeshkumar Patel. The current Premises Licence, a copy of which was attached to the report at Appendix VI, permitted the following:

Hours for the Sale by Retail of Alcohol

Monday to Sunday	0530 hours until 2300 hours
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Hours the Premises are Open of the Public

Monday to Sunday	0530 hours until 2300 hours
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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

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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 Alpeshkumar Patel, Director and Designated Premises Supervisor (DPS) was present at the meeting and was represented by Mr William Donne, Silver Fox Licensing Consultants, who addressed the Sub-Committee.

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, Lee-Ann Evanson, Immigration Service, and Ian Savill, Reading Borough Council Trading Standards were all present at the meeting and addressed the Sub-Committee.

Resolved -

That having reviewed the Premises Licence in respect of Supersave, and having had regard to the four licensing objectives, in particular the prevention of crime and disorder, and the oral and written representations made, the Secretary of State's guidance, as outlined in the report, and the Council's Statement of Licensing Policy, the Sub-Committee concluded that it would be appropriate and proportionate to revoke the Premises Licence for the following reasons:

- (a) the Sub-Committee considered the request for a suspension but this was the second review of the Premises Licence and the Premises Licence had been suspended for six weeks in 2008 and since that time no improvements had been made to promote the licensing objectives;

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- (b) the Sub-Committee had no confidence that placing even more robust conditions on the Premises Licence would be effective;
- (c) the Sub-Committee noted that the penalty for employing an illegal worker had been paid and that Mr Patel accepted he had been wrong for employing the worker but this did not give the Sub-Committee confidence that it would not happen again;
- (d) the Sub-Committee considered the offer to replace Mr Patel as the Designated Premises Supervisor with his wife but this did not offer any assurance that matters would improve at the Premises.

(The meeting started at 9.30am and finished at 11.28am)