

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 8 MARCH 2018

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

28. MINUTES

The Minutes of the meetings of Licensing Applications Sub-Committee 2 held on 4 January and 11 January 2018 were confirmed as correct records and signed by the Chair.

29. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - PARK LANE FOOD AND WINE

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 Park Lane Food and Wine, 2 - 4 Park Lane, Tilehurst, Reading, RG31 5DL.

The report stated that the Reading Borough Council Licensing Team had submitted the review of the Premises Licence, outlining a visit to the premises on 23 November 2017 when the premises had been found employing one illegal worker, who was in sole charge of the premises, and breaching licensing conditions. The premises had also breached licensing conditions on 28 July 2015 and 2 December 2015, and on 24 October 2017 counterfeit cigarettes had been found on the premises by the Reading Borough Council Trading Standards Team.

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 Thames Valley Police, the Immigration Service, and Reading Borough Council Trading Standards, which were attached to the report at Appendix II, III and 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 Parklane Stores Ltd. The Designated Premises Supervisor at the time of the review application was Mr Kripleshkumar Patwa. 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 (off the premises)

Monday to Saturday	0800 hours until 2300 hours
Sunday	1000 hours until 2230 hours

Good Friday 0800 hours until 2230 hours. Christmas Day 1200 hours until 1500 hours and 1900 hours until 2230 hours.

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

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- 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, 10.5.1, 15.1, 15.1.1 and 15.3.1 of the Council's Statement of Licensing Policy.

Mr Kripleshkumar Patwa, Designated Premises Supervisor, was present and addressed the Sub-Committee and was represented by Mr Surendra Panchal, Personal Licence Courses Ltd, who also 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, Russell Angell, 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 Park Lane Food and Wine, 2-4 Park Lane, Tilehurst, Reading, and having had regard to the 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 and the Council's Statement of Licensing Policy as detailed in the report, the Sub-Committee concluded that it would be appropriate and proportionate to revoke the Premises Licence due to:

- (a) the Designated Premises Supervisor's explanation about the illegal worker and the period he had worked at the premises not being credible and the Sub-Committee being satisfied that the Premises Licence Holder had

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employed an illegal worker in 2016 and 2017 at the time of the inspections held on 23 November 2016 and 23 November 2017 at the least;

- (b) the discovery of counterfeit cigarettes on the premises on 24 October 2017 for which the Designated Premises Supervisor could not provide an account and in fact no explanations were given;
- (c) the breaches of licence conditions, as witnessed at the time of the inspections and as stated in the report, for which no explanations were given.

(The meeting started at 9.30am and finished at 11.18am)