

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 6 JULY 2017

Present: Councillors Livingston (Chair) and Skeats.

1. MINUTES

The Minutes of the meeting of Licensing Applications Sub-Committee 1 held on 13 June 2017 were confirmed as a correct record and signed by the Chair.

2. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - WHITLEY STORE, WHITLEY STREET, READING

The Head of Planning, Development and Regulatory Services submitted a report on an application by Mr Binod Purja and Mrs Samita Purja for the for the grant of a premises licence in respect of Whitley Store, Whitley Street, Reading.

The report stated that the application was to grant a Premises Licence to permit the following licensable activities:

Hours of Sale of Alcohol (off the premises)

Monday to Sunday from 0800hrs until 2300hrs

Opening Hours

Monday to Sunday from 0800hrs until 2300hrs

A copy of the application form was attached to the report at Appendix RF-1. Representations against the application had been received from Reading Borough Council Licensing Team; Reading Borough Council Trading Standards; and Thames Valley Police, which were attached to the report at Appendices RF-2a, RF-2b and RF-2c respectively.

Additional information in the form of food hygiene inspection reports was tabled by the Council's Licensing Team in respect of the Whitley Store.

The report stated that in considering representations received, 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 the Licensing Act 2003 Section 18 (6) stated that any relevant representation should be considered in the context of the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Therefore, in the context of the grant of a licence, it was reasonable for the Licensing Authority to base its decision on an application on what the likely effects of granting a licence would have on the promotion of the licensing objectives. The report (pages 7-10) also set out paragraphs 1.5; 8.38 to 8.46, 9.12 and 9.13 from the Secretary of State's Guidance to the Licensing Act 2003 issued in April 2017.

Richard French, Licensing Officer Reading Borough Council, was present at the meeting and introduced his report on the application.

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Peter Narancic, Senior Licensing & Enforcement Officer, Reading Borough Council, Mike King, Licensing Officer, Thames Valley Police, and Ian Savill, Principal Trading Standards Officer, Reading Borough Council, addressed the Sub-Committee on their representations regarding the application.

The applicants, Mr Binod Purja and Mrs Samita Purja, were present and were represented by Mr William Donne, Licensing Consultant, all of whom addressed the Sub-Committee on the application and responded to questions.

Resolved -

- (1) That having reviewed the application for the grant of the Premises Licence in respect of Whitley Store, Whitley Street, Reading and having had regard to the licensing objectives and the oral and written representations made, section 18 (6) of the Licensing Act 2003, the Secretary of State's guidance, in particular, paragraphs 1.5, 9.12, and 10.15, and the Council's Statement of Licensing Policy, paragraph 11.3, the Sub-Committee concluded that it would be appropriate and proportionate that the application for the grant of a premises licence be refused;
- (2) That the grounds for the refusal were the likely effect, if the premises licence were granted, would be that the licensing objectives of the prevention of crime and disorder and the protection of children from harm would be undermined, in particular, because the previous premises licence, which had been held by Mr Jugjali, had been revoked and that Mr Jugjali would still be involved in the business should the licence be granted; the Committee took account of the fact that Mr Jugjali had signed a Food Hygiene and Safety Inspection form as the 'Food Business Operator' on 19 May 2017 and on 23 February 2017 he had signed another such form, as the 'Manager' as an indication of the level of his involvement in the business.

(The meeting started at 9.30am and finished at 11.40am)