

To: Licensing Applications Sub Committee 1

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15 October 2019

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NOTICE OF MEETING - LICENSING APPLICATIONS SUB-COMMITTEE 1 - 23 OCTOBER 2019

A meeting of the Licensing Applications Sub-Committee 1 will be held on Wednesday, 23 October 2019 at 6.30 pm in the Council Chamber, Civic Offices, Bridge Street, Reading, RG1 2LU. The Agenda for the meeting is set out below.

WARDS Page No
AFFECTED

1. DECLARATIONS OF INTEREST

(a) Councillors to declare any disclosable pecuniary interests they may have in relation to the items for consideration;

(b) Councillors to declare whether they wish to speak on the grounds they:

(i) Have submitted a relevant representation; or

(ii) Will be speaking on behalf of someone who has submitted a relevant representation.

2. MINUTES

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To confirm the minutes of the meeting of the Licensing Sub-Committee 2 held on 25 July 2019 as a correct record.

3. EXCLUSION OF PRESS AND PUBLIC

To consider whether to exclude the public from all or part of the hearing under Regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005.

CIVIC OFFICES EMERGENCY EVACUATION: If an alarm sounds, leave by the nearest fire exit quickly and calmly and assemble on the corner of Bridge Street and Fobney Street. You will be advised when it is safe to re-enter the building.

Present: Councillors Edwards (Chair), Rowland and Skeats

9. MINUTES

The Minutes of the meetings of Licensing Applications Sub-Committee 1 held on 18 June 2019 and Licensing Applications Sub-Committee 2 held on 6 June 2019, 27 June 2019 and 4 July 2019 were agreed as a correct record and signed by the Chair.

10. APPLICATION FOR THE REVIEW OF A CLUB PREMISES CERTIFICATE - READING & DISTRICT IRISH CLUB

The Assistant Director of Planning, Transport and Regulatory Services submitted a report on an application by the Chief Constable of Thames Valley Police for the review of a Club Premises Certificate in respect of Reading & District Irish Club, 96 Chatham Street, Reading, RG1 7HT.

The report stated that Thames Valley Police had requested a review of the Club Premises Certificate due to serious concerns that the club premises was failing to support the licensing objectives.

The report explained that these concerns were based on the failure to prevent the illegal sale of alcohol, the suspected handling of stolen goods, incidents of disorder, reluctance to provide details of incidents or support police proceedings when disorders had occurred and failure to accept and act upon advice offered by Thames Valley Police and the Licensing Authority. A copy of the application form was attached to the report at Appendix JC1.

The report stated that during the 28-day consultation period, representations had been received from Reading Borough Council Licensing Team which was attached to the report at Appendix JC2. The Hibernian Society wrote in support of the Club and the letter was appended at JC3.

The report stated that the application was for the review of a club premises certificate which authorised the following licensable activities:

Hours for the Sale of Alcohol for Members and Guests

Monday to Saturday	1100 hours until 0200 hours
Sunday	1200 hours until 0100 hours

Hours for the Performance of Live Music

Monday to Saturday	1100 hours until 0200 hours
Sunday	1200 hours until 0100 hours

Hours for the Performance of Recorded Music

Monday to Saturday	1100 hours until 0200 hours
Sunday	1200 hours until 0100 hours

Hours for the Performance of Dance

Monday to Saturday	1100 hours until 0200 hours
Sunday	1200 hours until 0100 hours

Hours for provision of facilities for Making Music

Monday to Saturday	1100 hours until 0200 hours
Sunday	1200 hours until 0100 hours

Hours for the provision of Facilities for Dancing

Monday to Saturday	1100 hours until 0200 hours
Sunday	1200 hours until 0100 hours

A copy of the certificate was attached to the report at Appendix JC4.

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 further stated that, in determining the application, the Sub-Committee could take the following steps:

- Take no further action;
- Exclude a qualifying activity from the scope of the Certificate;
- Modify the conditions of the Certificate;
- Suspend the Certificate for a period not exceeding three months;
- Withdraw the Certificate.

Where the Sub-Committee took the second or third step set out above, it might provide that the modification or exclusion was to have effect for a period of not exceeding three months or permanently.

The report also stated that any conditions placed on the Club Premises certificate should be appropriate and proportionate with a view to promoting the licensing objectives and that the Licensing Authority could grant (subject to appropriate conditions to promote the licensing objectives), amend, alter or refuse an application should it be deemed appropriate for the promotion of the licensing objectives. The Council's Licensing Policy also placed an onus on applicants who wished to open past 2300hrs to demonstrate how they would mitigate the issues of crime and disorder and potential public nuisance.

The report set out paragraphs 1.2 to 1.5, 1.7, 1.8, 9.11, 9.42, 9.43, 11.1, 11.2, 11.16 to 11.18 from the Secretary of State's Guidance to the Licensing Act 2003

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issued in April 2018. The report set out paragraphs 1.5, 1.6, 3.2, 9.12, 9.13, 9.15, 9.16, 9.18, 9.20 and 9.21 of the Council's Statement of Licensing Policy.

Simon Wheeler, Thames Valley Police, was present at the meeting and addressed the Sub-Committee on the review application. Peter Narancic, Senior Licensing and Enforcement Officer, was also present at the meeting in support of the review application.

Mr Bill Donne, Licensing Consultant was present at the meeting as representative of the Club's Committee. He was accompanied by Mr Seamus McCadden and Mr Paddy Power, members of the Club Committee and Mr Brendan Healey, Manager, who addressed the Sub-Committee.

Clyde Masson, Principal Licensing Officer, presented the report at the meeting.

Resolved -

That, in order to promote the four licensing objectives and having regard to the oral and written representations made, the Secretary of State's guidance issued under section 182 of the Licensing Act 2003 (April 2018), the Council's Statement of Licensing Policy, the application for the review of a Club Premises Certificate in respect of Reading and District Irish Club, 96 Chatham Street, Reading, RG1 7HT, be revoked on the grounds of:

1. Since 2013, there have been ongoing incidents and the Club's Committee had done nothing to address these situations for the promotion of the four licensing objectives;
2. It became apparent at the hearing that the Club's Committee were unaware of the issues taking place at the premises until the time that they were served notice of the Review of the Club Premises Certificate;
3. The Club's Committee were operating the Club with disregard of the conditions of the Club Premises Certificate;
4. The Club's Committee and staff had wilfully refused to co-operate with advice given to them by Thames Valley Police and the Licensing Authority;
5. The Club had failed to promote the four licensing objectives.

The meeting opened at 9.30 am and closed at 12.05pm.

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