

Present: Councillor Edwards (Chair);
Councillors Woodward (Vice-Chair) and Skeats

15. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - YATES'S

The Assistant Director of Planning, Transport and Regulatory Services submitted a report on an application by Thames Valley Police for the review of the Premises Licence in respect of Yates, 7-9 Friar Street, Reading, RG1 1DB.

The report stated that Thames Valley Police had requested a review of the Premises Licence to prevent the licensing objectives of the prevention of crime and disorder, the protection of children from harm and public safety from being further undermined as the premises had been associated with serious disorder. The report explained that two particularly notable incidents of mass disorder had occurred in January 2020 and the intervention of the Police had been required on both occasions to maintain order and control of the crowd.

A copy of the review application was attached to the report at Appendix RS-1.

The report advised that a representation had been received from Reading Borough Council Licensing Team which was attached to the report at Appendix RS-3.

The report stated that the Premises Licence Holder was Stonegate Pub Company Limited, and the Designated Premises Supervisor was Mr John Button.

The report made reference to CCTV footage having been submitted by Thames Valley Police.

The current Premises Licence, a copy of which was attached to the report at Appendix RS-2, permitted the following:

Hours for the Exhibition of Films

Monday to Thursday	0700 hours until 0200 hours
Friday to Saturday	0700 hours until 0230 hours
Sunday	0700 hours until 0000 hours

Non Standard Hours:

All Bank Holiday Sundays and Mondays until 0300 hours the following morning.
Christmas Eve and Boxing Day until 0300 hours the following morning. An additional hour to be the standard and non-standard timings on the day when British Summertime commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

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Hours for the Performance of Live Music

Monday to Thursday	1000 hours until 0200 hours
Friday to Saturday	1000 hours until 0230 hours
Sunday	1100 hours until 0000 hours

Non Standard Hours:

All Bank Holiday Sundays and Mondays until 0300 hours the following morning.
Christmas Eve and Boxing Day until 0300 hours the following morning. An additional hour to be the standard and non-standard timings on the day when British Summertime commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Hours for the Playing of Recorded Music

Monday to Thursday	0800 hours until 0200 hours
Friday to Saturday	0800 hours until 0230 hours
Sunday	0800 hours until 0000 hours

Non Standard Hours:

All Bank Holiday Sundays and Mondays until 0300 hours the following morning.
Christmas Eve and Boxing Day until 0300 hours the following morning. An additional hour to be the standard and non-standard timings on the day when British Summertime commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Hours for the Performance of Dance

Monday to Thursday	1000 hours until 0200 hours
Friday to Saturday	1000 hours until 0230 hours
Sunday	1100 hours until 0000 hours

Non Standard Hours:

All Bank Holiday Sundays and Mondays until 0300 hours the following morning.
Christmas Eve and Boxing Day until 0300 hours the following morning. An additional hour to be the standard and non-standard timings on the day when British Summertime commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Anything similar to Live Music, Recorded Music & Performance of Dance

Monday to Thursday	1000 hours until 0200 hours
Friday to Saturday	1000 hours until 0230 hours

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Sunday 1100 hours until 0000 hours

Non Standard Hours:

All Bank Holiday Sundays and Mondays until 0300 hours the following morning.
Christmas Eve and Boxing Day until 0300 hours the following morning. An additional hour to be the standard and non-standard timings on the day when British Summertime commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Hours for the Provision of Late Night Refreshment

Monday to Thursday 2300 hours until 0200 hours

Friday to Saturday 2300 hours until 0230 hours

Sunday 2300 hours until 0000 hours

Non Standard Hours:

All Bank Holiday Sundays and Mondays until 0300 hours the following morning.
Christmas Eve and Boxing Day until 0300 hours the following morning. An additional hour to be the standard and non-standard timings on the day when British Summertime commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Hours for the Sale by Retail of Alcohol

Monday to Thursday 0800 hours until 0200 hours

Friday to Saturday 0800 hours until 0230 hours

Sunday 0800 hours until 0000 hours

Non Standard Hours:

All Bank Holiday Sundays and Mondays until 0300 hours the following morning.
Christmas Eve and Boxing Day until 0300 hours the following morning. An additional hour to be the standard and non-standard timings on the day when British Summertime commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Hours the Premises is Open to the Public

Monday to Thursday 0700 hours until 0230 hours

Friday to Saturday 0700 hours until 0300 hours

Sunday 0700 hours until 0030 hours

Non Standard Hours:

All Bank Holiday Sundays and Mondays until 0300 hours the following morning.

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Christmas Eve and Boxing Day until 0300 hours the following morning. An additional hour to be the standard and non-standard timings on the day when British Summertime commences.

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

The report stated that a meeting of the Licensing Sub Committee 2 had been held on 8 January 2020 to consider whether interim steps were required, and an immediate suspension of the Premises Licence had been imposed by the Sub Committee. A copy of the Minutes of this meeting were attached to the report at Appendix RS-5.

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 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. Furthermore, 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 advised that the Licensing Authority must also determine whether the suspension of the Premises Licence imposed on 8 January 2020 should remain in force.

The report set out paragraphs 1.2-1.5, 1.7-1.8, 12.1-12.2, 12.5-12.6, 12.13-12.15, 12.17-12.22, 12.29-12.31, 2.22, 9.12-9.13, 9.42-9.43, 11.1-11.2, 11.10, 11.16-11.18, 11.25 of the Amended Guidance issued under Section 182 of the Licensing Act 2003 (April 2018). The report also set out paragraphs 1.5-1.6 of the Council's Statement of Licensing Policy. The report also referred to other legislation and initiatives to be considered.

Mr Paul Wright and Lee Brazier, Stonegate Pub Company Limited, were present at the meeting and were represented by Mr Philip Kolvin, QC, who addressed the Sub-Committee.

Simon Wheeler, Thames Valley Police, was present at the meeting and addressed the Sub-Committee on the application.

Additional information had been submitted to the meeting by the Premises Licence Holder and Thames Valley Police and it was confirmed at the meeting that Thames Valley Police was now satisfied that revocation of the Premises Licence would not be necessary if the proposals that had been submitted, agreed between the Premises Licence Holder and Thames Valley Police, would be implemented.

Resolved -

- (1) That, having reviewed the Premises Licence in respect of Yates, 7-9 Friar Street, and having regard to the promotion of the four licensing objectives, the oral and written representations made by all parties, the Secretary of State's guidance, as set out in the report, and the Council's Statement of Licensing Policy, as set out in the report, the Sub-Committee concluded that it was appropriate and proportionate for the Premises Licence to remain in force subject to the following:
 - (a) That the terminal hour for all licensable activities be amended to 0000 hours Sunday to Thursday and 0100 hours Friday to Saturday;
 - (b) That the closing time for the premises be amended to 0030 hours Sunday to Thursday and 0130 hours Friday to Saturday;
 - (c) That the following additional condition be attached to the Premises Licence:
 - No externally promoted events or bookings shall be undertaken and no external promoters utilised at the premises;
- (2) That the removal of the Designated Premises Supervisor and his replacement be noted;
- (3) That the aforementioned modifications would ensure the Premises was de-risked so as to achieve compliance with the licensing objectives and promote the good reputation of Reading;
- (4) That the premises be permitted to reopen for trading from 1 February 2020.

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(The meeting closed at 10.50 am)