

## LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES - 8 NOVEMBER 2022

**Present:** Councillors Woodward (Chair), Edwards (Vice-Chair) and G Dennis

### 5. MINUTES

The Minutes of the Licensing Sub-Committee 2 meeting on 22 September 2022 were confirmed as a correct record and signed by the Chair.

### 6. APPLICATION FOR THE VARIATION OF A PREMISES LICENCE, THE JOLLY ANGLERS, 314-316 KENNETSIDE, READING

The Deputy Director of Planning, Transport and Regulatory Services submitted a report on an application for a variation of a premises licence in respect of the Jolly Anglers, 314-316 Kennet Side, Reading, RG1 3EA.

The report stated that the application was for a variation to remove the following conditions that had been agreed in June 2011:

- 2(e). No music or speech shall be relayed via external speakers.
4. The beer garden shall be completely cleared of patrons, plates and glasses and the lighting shall be switched off from 21:30hrs and shall not be used between 21:30hrs and 10:00hrs.
6. Events involving live music in the beer garden shall only be of an acoustic nature and shall not be amplified. Such events shall only take place at a maximum frequency of once per month.

And the addition of the following conditions:

- (i) All music in the rear garden will cease at 23:00 hours
- (ii) The rear beer garden shall be completely cleared of patrons by 23:30hrs.

A copy of the application form and the current Premises Licence were attached to the report at Appendices LIC-1 and LIC-8 respectively.

During the 28-day consultation period for the application representations had been received from:

- The Reading Borough Council (RBC) Licensing Team - attached at Appendix LIC-2;
- The RBC Environmental & Nuisance Team - attached at Appendix LIC-3;
- Thames Valley Police - attached at Appendix LIC-4;
- Councillor Barnett-Ward - attached at Appendix LIC-5;
- Resident J Brown - attached at Appendix LIC-6;
- Resident - attached at Appendix LIC-7.

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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.

The report further stated that any conditions placed on the premises licence should be appropriate with a view to promoting the licensing objectives. The report explained that the Licensing Authority could amend, alter or refuse the application if it be deemed appropriate for the promotion of the licensing objectives.

In determining the application, the Licensing Authority must consider the representations received, the Licensing Authority's Statement of Licensing Policy and any relevant section of the statutory guidance issued to licensing authorities.

The report set out paragraphs 1.5, 2.15, 2.16, 8.41 to 8.49, 9.11 to 9.13, 10.4, 10.5, 10.15 and 14.63 from the Secretary of State's Guidance to the Licensing Act 2003 issued in April 2018. The report also set out paragraphs 2.3 to 2.7, 3.7, 5.31 to 5.38, 6.7 to 6.10, 6.27 and 7.1 to 7.9 from the Council's Statement of Licensing Policy.

Bill Donne, of Silver Fox Consultants, attended the meeting and represented the Premises Licence Holder and Applicant, Mrs Susan Bates. Mr Donne addressed the Sub-Committee on the application and responded to questions. Mr Xhemail Zeqiri, the premises manager, and Ms Valentina-Elena Filip, the Designated Premises Supervisor, also attended the meeting.

The following objectors attended the meeting, addressed the Sub-Committee on the application and responded to questions:

- Rebecca Moon (Senior Environmental Health Officer, RBC)
- Catherine Lewis (Community Protection Group Manager, RBC)
- Robert Smalley (Licensing Enforcement Officer, RBC)
- Declan Smyth (Licensing Officer, Thames Valley Police)
- J Brown and D Shockley (residents)

Peter Narancic, Senior Licensing Enforcement Officer, presented the report at the meeting.

### **Resolved -**

That, after taking into consideration:

- the Licensing Act 2003, the Secretary of State's Guidance issued under section 182 of that Act, the Environmental Protection Act 1990, the Equality Act 2010 and Reading Borough Council's Statement of Licensing Policy;

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- the likely effect of the granting of the variation sought on the promotion of the four Licensing Objectives: the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm;
- the late arriving material;
- the representations received from the Applicant; the professional representations of the Reading Borough Council Environmental Protection and Nuisance team, the Reading Borough Council Licensing team, and from Thames Valley Police; and the representations from both Councillor and resident objectors.

The Sub-Committee agreed to grant the variation to remove the following conditions that had been agreed in June 2011:

- 2(e). No music or speech shall be relayed via external speakers.
4. The beer garden shall be completely cleared of patrons, plates and glasses and the lighting shall be switched off from 21:30hrs and shall not be used between 21:30hrs and 10:00hrs.
6. Events involving live music in the beer garden shall only be of an acoustic nature and shall not be amplified. Such events shall only take place at a maximum frequency of once per month.

And to replace with the following conditions:

- (i) No live amplified music or recorded amplified music shall be played in the rear beer garden after 21:00hrs.
- (ii) The rear beer garden shall be completely cleared of patrons by 23:30hrs.

The Applicant was advised of their right of appeal.

(The meeting started at 10.10 am and closed at 1.21 pm)