

LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 8 JANUARY 2020

Present: Councillors Edwards (Chair), Woodward and Skeats

11. APPLICATION FOR THE REVIEW OF A CLUB PREMISES CERTIFICATE - YATES'S.

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 summary review of a Premises Licence for Yates's, 7-9 Friar Street, Reading, RG1 1DB.

The report stated that Thames Valley Police had requested a summary review because the premises had been associated with serious disorder. There had been two recent incidents of note. The first had taken place on 1 January 2020, following a fight within the venue which premises security had been unable to contain or de-escalate. This had resulted in police having to enter the premises and later 20 police officers had needed to form a police line to disperse the crowd when the venue was closed. The second incident had taken place three days later and had again required the formation of a police line to assist with the dispersal of a crowd of approximately 150 people. Thames Valley Police had submitted a Certificate under Section 53A (1)(b) of the Licensing Act 2003, which stated that the summary review was necessary to uphold the licensing objectives of the prevention of crime and disorder, protection of children from harm and public safety.

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

The report stated that the Premises Licence Holder was Stonegate Pub Company Limited and the Designated Premises Supervisor was Mr John Button. The existing 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
Sunday	0700 hours until 0230 hours
Sunday	0700 hours until 0000 hours

Non Standard Hours:

All Bank Holiday Sunday 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 Live Music

Monday to Thursday	1000 hours until 0200 hours
Sunday	1000 hours until 0230 hours

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Sunday 1000 hours until 0000 hours

Non Standard Hours:

All Bank Holiday Sunday 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 Recorded Music

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

Non Standard Hours:

All Bank Holiday Sunday 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
Sunday 1000 hours until 0230 hours
Sunday 1000 hours until 0000 hours

Non Standard Hours:

All Bank Holiday Sunday 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 provision of anything similar to Live Music. Recorded Music and Performance of Dance

Monday to Thursday 1000 hours until 0200 hours
Sunday 1000 hours until 0230 hours
Sunday 1000 hours until 0000 hours

Non Standard Hours:

All Bank Holiday Sunday 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.

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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
Sunday	2300 hours until 0230 hours
Sunday	2300 hours until 0000 hours

Non Standard Hours:

All Bank Holiday Sunday 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
Sunday	0800 hours until 0230 hours
Sunday	0800 hours until 0000 hours

Non Standard Hours:

All Bank Holiday Sunday 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 was Open to the Public

Monday to Thursday	0700 hours until 0230 hours
Sunday	0700 hours until 0300 hours
Sunday	0700 hours until 0030 hours

Non Standard timings:

All Bank Holiday Sunday and Mondays until 0330 hours the following morning.
Christmas Eve and Boxing Day until 0330 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 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;

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- 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 interim steps:

- The modification of the conditions of the premises licence;
- The exclusion of the sale of alcohol by retail from the scope of the licence;
- The removal of the Designated premises Supervisor from the licence;
- The suspension of the licence.

Any interim steps would take effect immediately and stay in force until the determination of the review. The review hearing must be held within 28 days of the application and had been arranged for 31 January 2020.

The report set out paragraphs 1.5, 12.1, 12.2, 12.5, 12.6, 12.13, 12.14, 12.15, 9.12, 11.10, 11.12, 11.18, 11.24 to 11.28 from the Secretary of State's Guidance to the Licensing Act 2003 issued in April 2018. The report also set out paragraphs 5.13 and 5.15 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. He was accompanied by Declan Smyth and officers Nara Fisher and Jason Jones of Thames Valley Police

Mr Michael Bromley-Martin, QC, was present at the meeting as representative of Stonegate Pub Company Limited. He was accompanied by Mr Paul Wright, Director of Operational Licensing, Stonegate Pub Company Limited and Mr Graeme Cushion, solicitor, Poppleston Allen.

Robert Smalley, Licensing and Enforcement Officer, presented the summary review report at the meeting.

Resolved -

- (1) That, having regard to the four licensing objectives and 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 Sub-Committee concluded that it was appropriate and proportionate to suspend the Premises Licence in respect of Yates's, 7-9 Friar Street, until the determination of the application for review, as the Sub-Committee considered that the two incidents on 1 and 4 January 2020 were so serious that a period of immediate suspension was necessary.
- (2) That Stonegate Pub Company Limited was requested to ensure that sufficient and adequate cancellation of pre-booked events be advertised widely and on social media platforms.

The meeting opened at 10.00 am and closed at 12.00pm.