

Present: Councillors Edwards (Chair), Rowland and Rynn.

7. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - READING COMMUNITY CARNIVAL

The Head of Planning, Development and Regulatory Services submitted a report on application by Thames Valley Police for the review of a Premises Licence in respect of Reading Community Carnival, Prospect Park, Reading, RG1 2LN.

The report stated that Thames Valley Police had requested a review of the Premises Licence due to serious concerns that the Premises Licence Holder was failing to support the licensing objectives during the event. The report explained that these concerns were based on the number of violent incidents that had occurred in and around the premises during the event held in May 2019, which had included large scale fights, two stabbings and further suspected stabbing and that the number of suitably trained security staff employed by the organisers had been insufficient to deal with these incidents. A copy of the review application form and appendices was attached to the report at Appendix RS1.

The report stated that during the 28-day consultation period, representations had been received from Reading Borough Council Licensing Team Reading Borough Council Environmental Protection Team, Dorchester Court Management Team and Mrs S Stiles, a local resident which were attached to the report at Appendices RS2, RS3, RS4 and RS5 respectively.

Three emails in support of the Carnival had been received and were attached to the report at Appendix RS6.

A copy of the current licence was attached at Appendix RS7 and authorised the following licensable activities:

Hours for the Performance of Live Music

Monday 1200 hours until 1900 hours

Hours for the Playing of Recorded Music

Monday 1200 hours until 1900 hours

Hours for the Performance of Dance

Monday 1200 hours until 1900 hours

Hours for Anything Similar to Live Music, Recorded Music or Performance of Dance

Monday 1200 hours until 1900 hours

Hours the Premises is Open to the Public

Monday 1000 hours until 1900 hours

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Additional documents were received from Thames Valley Police and the Premises Licence Holder after the original paperwork had been issued in March 2020 and was considered by the Sub-Committee when making its decision.

The report stated that in determining the review 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 referred to paragraphs 1.2 to 1.5, 1.7, 1.8, 9.12, 9.13, 9.42, 9.43, 11.1, 11.2, 11.16, 11.17, 11.19, 11.20, 11.22 and 11.23 from the Secretary of State's Guidance to the Licensing Act 2003 issued in April 2018. The report also referred to paragraphs 1.6, 3.2, 5.13, 6.1, 6.5, 7.1, 7.2, 7.4, 7.14, 8.12, 9.1, 9.2, 9.15, 9.16 and 9.18 of the Council's Statement of Licensing Policy.

Simon Wheeler, Thames Valley Police and Bo-Eun Jung, barrister appointed on behalf of Thames Valley Police were present at the meeting and addressed the Sub-Committee on the review application.

Clyde Masson, Principal Licensing Officer and Rebecca Moon, Senior Environmental Health Officer, attended the meeting and addressed the Sub-Committee on behalf of Reading Borough Council as a Responsible Authority. An objector, Mrs Maureen Eden, also attended the meeting and addressed the Sub-Committee.

William Donne, Silver Fox Licensing Consultants, representative of the Reading Caribbean Cultural Group (RCCG) attended the meeting and addressed the Sub-Committee. He was accompanied by Glen Dennis, Erma Dyall and Sonia Walker of the RCCG Committee.

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Robert Smalley, Licensing Enforcement Officer, presented the report at the meeting and asked the Sub-Committee to note that the date quoted on the report (17 March 2020) had been superseded due to the Coronavirus pandemic and an adjournment of the meeting agreed on 23 July 2020. He confirmed that the date on which the application was heard was 10 September 2020.

Resolved -

The Sub-Committee having considered all the representations and having heard from all parties present who spoke at the hearing during the morning and early afternoon, had decided that the current licence be revoked to enable a rebirth of the event. Previously this had been a family-orientated Caribbean Carnival attended by Reading people or from nearby towns and villages rather than further afield. The Sub-Committee felt there was no other option than to revoke this licence as there were not sufficient plans or management structures in place to ensure a well-run and safe event. There were no proper event management plans, security details, risk assessments, traffic regulation plans or other strategies provided for them to properly consider whether or not this event could be run safely and in accordance with the licensing objectives.

The Sub-Committee strongly encouraged and hoped, whole heartedly, though of course it could not pre-determine the issue, that the Reading Caribbean Cultural Group (RCCG) in the near future or as soon as was reasonably practicable apply for another premises licence for this event for May 2021. This application needed to set out with sufficient detail for all responsible authorities to consider in good time how this event would go forward and comply with all licensing objectives. It needed to cover the putting together of a professionally run and managed event. The Sub-Committee would strongly suggest that the RCCG considered a different venue or had plans in place to ensure no or little disruption whether by noise nuisance, crime and disorder or traffic issues were caused to local residents within the vicinity of the event.

It was of course imperative that any event must comply with the licensing objectives and in particular prevention of crime and disorder, public nuisance, public safety and the protection of children from harm and in the current circumstances this had not been achieved. The Sub-Committee were, though, confident from what they had heard today that this could be achieved with professional help.

(The meeting started at 9.30 am and finished at 15.08 pm)