

LICENSING TEAM REPRESENTATION

Name of Officer	Peter Narancic Senior Licensing and Enforcement Officer						
Type of Application	Review of a Premises Licence - Licensing Act 2003						
Name of Premises	Willis and Short						
Address	341 Oxford Road, Reading RG30 1AY						
Licensable Activities	Sale of Alcohol by Retail - Off the Premises						
Finish Times	Mon	Tue	Wed	Thu	Fri	Sat	Sun
	X	X	X	X	X	X	X
Content of Application:							
<p>On 9 November 2020, Thames Valley Police submitted an application to review the premises licence of Willis and Short, 341 Oxford Road, Reading RG30 1AY regarding the failure of Mr Vipul Patel, the premises licence holder since 2011, to uphold the licensing objectives.</p> <p>The Reading Borough Council, acting as a responsible authority, is making this representation in support of Thames Valley Police in relation to the review of the premises licence for Willis and Short.</p> <p><u>Background</u> The premises operates as an off licence /convenience store. The premises licence holder at the time of this submission are stated as Mr Vipul Patel</p> <p>The designated Premises Supervisor is stated as Mr Vipul Patel</p> <p>The premises licence pursuant to the Licensing Act 2003 which permit the provision of the sale of alcohol (Issued 2011)</p> <p><u>Hours for the Sale by Retail of Alcohol (Off licence)</u></p> <p>Monday to Sunday from 0530hrs until 2300hrs Sunday 0900hrs until 2300hrs</p> <p>Hours open to the Public</p>							

Monday to Saturday from 0530hrs until 2300hrs
Sunday 0600hrs until 2300hrs

Annex 2

Conditions Consistent with the Operating Schedule

1. A CCTV camera shall be installed on the premises.
2. A proof of age policy with photographic ID shall be put in place.

The Licensing Authority believe that this review is necessary given the history of non-compliance in regard to conditions and Licensing law and would invite the Licensing Committee to take the steps it deems appropriate and proportionate to promote the licensing objectives.

As stated in the review paperwork, the sales of super strength cheap beers and ciders in the area of the Oxford road are believed by Thames Valley Police to be fuelling incidents of alcohol related crime and disorder in the area of this premises, and it is of extreme concern and a priority for the oxford road residents and community to resolve this issue.

Licensing Officer's Comments:

The Licensing team in partnership with Thames Valley Police, jointly visit and inspect licensed premises within the Borough of Reading. Particular attention is paid to premises where there have been previous incidents where the Licensing Objectives have not been fully supported by the premises licence holder.

The Oxford Road stretches over 3 miles from Reading town centre, west towards Purley on the A329. Unfortunately, this road and its surrounding areas suffer from high levels of crime and anti-social behaviour including street drinking, drug usage, prostitution, begging, graffiti and assaults. Oxford Road falls with a Public Space Protection Order (PSPO) which identifies street drinking of alcohol and its associated anti-social behaviour as having a direct negative impact on those that live and work in the area. The sale of super strength beers and ciders via retailers with poor processes and a lack of due diligence only exacerbates the issues.

Licensing records show these premises have been visited on previous occasions.

On 7 November 2017, a licensing officer found a number of items of non-compliance which. The findings are detailed in the Review application.

General

Breach of premises licence conditions

Under the Licensing Act, every breach of condition is a criminal offence and means that licensable activity is being carried on not in accordance with an authorisation. Each breach of condition is contrary to Section 136 (1) of the Licensing Act 2003. It is

worth remembering a further two points: Firstly, that conditions are attached to a premises licence as they are deemed appropriate and proportionate to promote the four licensing objectives at that premises.

Exposed alcohol

It is noted that the premises is open to the public at 0600 hours on Sundays, however the sale of alcohol is permitted from 0900 hours. Therefore the premises is open for three hours on Sunday where uncovered alcohol is displayed and exposed for sale in the premises. This has been confirmed by Mr Chandresh Patel.

Section 137 of the Licensing Act 2003, makes it an offence where there is no sale or attempted sale of alcohol but the alcohol is exposed for an unauthorised sale. This is likely to occur where alcohol is exposed outside the authorised hours. If a person is convicted of this offence, Section 139, provides the defence of due diligence, and if a person is convicted of this offence it is a summary conviction to a term not exceeding six months or to a fine not exceeding £20,000 or both. In addition, the court may order that the alcohol in question be forfeited or destroyed or dealt with in such a manner as the court may order.

Summary

The Licensing team is very concerned that Mr Patel, the premises licence holder has clearly failed to uphold the licensing objectives in operating his business premises.

Reading Borough Council's Licensing Policy statement clearly states that its Vision is "To promote Reading as a safe and healthy environment in which responsible operators provide lawful and responsible facilities for the enjoyment of the Town's residents and visitors".

The statement of Licensing Policy is underpinned by four core objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

It is the Licensing team's respectful submission that an appropriate and proportionate step to promote the licensing objectives and safeguard the public as a whole, is for the licence for Willis and Short, 341 Oxford Road, Reading to be have more robust improved conditions as detailed in the Review application and this Representation.

Recommended condition

1) The premises licence holder shall use secure screening shutters to cover all alcohol while the premises is open to the public outside the permitted hours for the sale of alcohol.

Officer	<i>Peter Narancic</i>	Date	23.11.2020

