

LICENSING APPLICATIONS SUB-COMMITTEE 1 MINUTES - 9 NOVEMBER 2021

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

1. MINUTES

The Minutes of the meetings of Licensing Applications Sub-Committee 2 held on 2 September 2021 were confirmed as a correct record.

2. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - READING WINTER WONDERLAND HILLS MEADOW, GEORGE STREET, READING

The Deputy Director of Planning, Transport and Regulatory Services submitted a report on an application for the grant of a Premises Licence in respect Reading Winter Wonderland, Hills Meadow Car Park, George Street Reading, RG4 8DH.

The report stated that the application was for the grant of a premises licence to permit the following licensable activities:

Provision of Recorded Music

Monday to Sunday from 1000hrs until 2200hrs

Sale by Retail of Alcohol (On the Premises)

Monday to Sunday from 1100hrs until 2200hrs

Opening Hours

Monday to Sunday from 1000hrs until 2200hrs

This application was for a one-off licence to be valid for 53 days between 12 November 2021 and 3 January 2022.

A copy of the review application form and proposed conditions were attached to the report at Appendix RS1.

During the 28-day consultation period for the application, four representations had been received by Reading Borough Council, which were attached to the report at Appendices RS2 to RS5. There had been no representations made by the Responsible Authorities.

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

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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 set out paragraphs 1.2 to 1.5, 8.41-8.42, 8.44-8.49, 9.12, 9.39-9.40, 9.42 and 9.43 from the Secretary of State's Guidance to the Licensing Act 2003 issued in April 2018. The report also set out paragraphs 1.6, 3.1, 3.2, 5.6, 5.7, 6.1, 6.2, 6.5, 7.2, 7.6, 7.8, 7.11, 7.12, 8.6, 10.1 and 10.3 of the Council's Statement of Licensing Policy.

William Williams, Personal Licence Holder and Sue Dowling, solicitor with Blandy & Blandy LLP attended the meeting to represent the applicant, addressed the Sub-Committee on the application and responded to questions. Objectors Helen Lambert, Caversham and District Residents Association, and Krys Jankowski attended the meeting and addressed the Sub-Committee on the application. They were both given the opportunity to cross-examine the applicant, the Committee having considered it helpful to explain the nature of their objections. Malcolm Pemble of Caversham and District Residents Association also attended the meeting.

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

The Sub-Committee noted that the application could only be considered in light of its own merits and not by reference to what may or may not have happened in respect of other events which had been held in the same location and to which the current applicants had explained they had no link. The Sub-Committee gave particular consideration to the noise that might be generated by the licensable activities but considered that conditions 13 to 16 as set out in Appendix RS1 to the report responded proportionately to any such noise and that any requirement to monitor beyond the licensed premises would be disproportionate. The Sub-Committee were satisfied that the relevant consultation required as part of the statutory process for applying for a premises licence had been complied with and that that the applicant had been advised to not go beyond that statutory process as it might have been perceived as intimidating, in this particular case, to be approached by a prospective licensee.

Resolved -

That, in order to promote the four licensing objectives and having regard to the oral and written representations made in advance and at the meeting, 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 application for the grant of a Premises

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Licence in respect of Reading Winter Wonderland, Hills Meadow Car Park, George Street, Reading, be granted to permit:

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Monday to Sunday from 1100hrs until 2200hrs

Opening Hours

Monday to Sunday from 1000hrs until 2200hrs

and that the conditions set out in Appendix RS1 of the report should apply.

(The meeting started at 9.30 am and finished at 11.33 am)