

LICENSING APPLICATIONS SUB-COMMITTEE 2 MEETING MINUTES - 6 DECEMBER 2018

Present: Councillor Woodward (Chair);
Councillors D Edwards and Grashoff

20. MINUTES

The Minutes of the meetings of Licensing Applications Sub-Committee 2 held on 8 November 2018 and Licensing Applications Sub-Committee 1 held on 13 November 2018 were confirmed as correct records and signed by the Chair.

21. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - MAP FOOD AND WINE, LONDON ROAD, READING

The Head of Planning, Development and Regulatory Services submitted a report on an application by Reading Borough Council Licensing Team for the review of the Premises Licence in respect of MAP Food and Wine, 255 London Road, Reading, RG1 3NY.

The report stated that the Reading Borough Council Licensing Team had submitted the review of the Premises Licence, outlining a visit to the premises on 9 June 2018 when the premises had been found employing an illegal worker and breaching licensing conditions. Further visits carried out by the Reading Borough Council Licensing Team on 17 August 2018 and 12 September 2018 found that some licensing conditions were still being breached and there was a lack of licensing compliance, best practice procedures or any evidence that the licensing objectives were being actively promoted.

The application sought for the Premises Licence to be revoked due to the seriousness of the crimes discovered at the premises.

A copy of the review application was attached to the report at Appendix I.

The report stated that representations had been received from the responsible authorities of the Home Office Immigration Enforcement and Thames Valley Police, which were attached to the report at Appendix II and III.

The report stated that the Premises Licence Holder and Designated Premises Supervisor was Mr Sanmeet Singh Kapoor. The current Premises Licence, a copy of which was attached to the report at Appendix IV, permitted the following:

Hours for the Sale by Retail of Alcohol (off the premises)

Monday to Sunday 0800 hours until 2300 hours

Hours the Premises are Open of the Public

Monday to Sunday 0800 hours until 2300 hours

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:

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

The report stated further 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. Further, 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 set out paragraphs 1.5, 1.7, 1.8, 9.12, 9.13, 9.25, 9.31, 9.38, 9.42, 9.43, 11.1, 11.2, 11.6, 11.10 to 11.20 and 11.24 to 11.28 of the Amended Guidance issued under Section 182 of the Licensing Act 2003 (April 2018). The report also set out paragraphs 1.1 to 1.3, 1.5 to 1.6, 3.2, 3.4, 4.4 to 4.7, 9.1 to 9.7, 9.12 to 9.16 and 9.20 to 9.21 of the Council's Statement of Licensing Policy.

Mr Sanmeet Singh Kapoor, Premises Licence Holder, was present and answered questions and was represented by Mr Surendra Panchal, Personal Licence Courses Ltd, who also addressed the Sub-Committee.

Richard French, Reading Borough Council Licensing Team, was present at the meeting and addressed the Sub-Committee on the application. Lee-Ann Evanson, Home Office Immigration Enforcement and Declan Smyth, Thames Valley Police, were both present at the meeting and addressed the Sub-Committee on their representations.

Resolved -

That having reviewed the Premises Licence in respect of MAP Food and Wine, 255 London Road, and having had regard to the four licensing objectives, the oral and written representations made, the Secretary of State's guidance as set out in the report and the Council's Statement of Licensing Policy as set out in the report, the

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Sub-Committee concluded that it would be appropriate and proportionate to revoke the Premises Licence due to:

- (a) the Premises Licence Holder admitting to the employment of an illegal worker and not checking any documents or asking to see any documents in respect of their eligibility to work;
- (b) the illegal worker had been paid below the minimum wage;
- (c) the breaches of licence conditions, as stated in the report;
- (d) the failure to communicate with officers of Reading Borough Council.

(The meeting closed at 11.17 am)