

**LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES - 21 NOVEMBER
2024**

Present: Councillor Woodward (Chair);
Councillors Leng and Mitchell

28. MINUTES

The Minutes of the meeting held on 7 November 2024 were confirmed as a correct record and signed by the Chair.

29. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - CAPRINOS PIZZA, 93 WOKINGHAM ROAD, READING, RG6 1LH.

Under the Licensing Act 2003, the Sub-Committee considered a report on an application for the grant of a Premises Licence in respect of Caprinos Pizza, 93 Wokingham Road, Reading, RG6 1LH. The application had been submitted by Malik Muhammad Ali, the sole Director of Rubys Food Limited, on behalf of Rubys Food Limited. A copy of the Premises Licence Application Form was attached to the report at Appendix RS-1.

The report stated that there was currently no licence in force at the premises, which had previously been a fruit and vegetable shop and a charity shop. The current occupier and applicant had commenced trading from the address in February 2021. The report stated that the application was for the grant of a Premises Licence to permit the following licensable activities:

Provision of Late Night Refreshment:

Monday to Thursday	from 2300hrs until 0200hrs
Friday to Sunday	from 2300hrs until 0400hrs

Hours the Premises is Open to the Public:

Monday to Thursday	from 1100hrs until 0200hrs
Friday to Sunday	from 1100hrs until 0400hrs

The report explained that on 20 September 2024 at 2320hrs, two Reading Borough Council Licensing Enforcement Officers had entered the premises and had been offered to be sold a hot pizza, despite the premises holding no late night refreshment authorisation as required under the Licensing Act 2003. It stated that it was a criminal offence under section 136 of the Licensing Act 2003 to (a) carry on or attempt to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or (b) knowingly allow a licensable activity to be so carried on. Details were set out in Appendix RS-3.

During the 28-day consultation period for the application representations against the application had been received by Reading Borough Council from the following Responsible Authorities:

- Reading Borough Council's Planning Team (representation attached at Appendix RS-2)

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- Reading Borough Council's Licensing Enforcement Team (representation attached at Appendix RS-3)

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;
- The prevention of public nuisance;
- The protection of children from harm.

The report stated that any decision made in relation to the Premises Licence should be appropriate and proportionate with a view to promoting the licensing objectives. The Licensing Authority could amend, alter, or refuse an application should it be deemed appropriate for the promotion of the licensing objectives. The report stated that, when 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 issued to licensing authorities by the Secretary of State.

The report set out paragraphs 1.6, 2.9, 3.1, 3.2, 5.6, 5.7, 6.1, 6.2, 6.5, 6.19-26, 7.2, 7.6, 7.7, 7.12, 8.6, 10.1 and 10.3 from the Council's Statement of Licensing Policy. The report also set out paragraphs 1.2 to 1.5, 8.41-8.49, 9.12, 9.38-40, 9.42 and 9.43 from the Secretary of State's Guidance to the Licensing Act 2003 issued in December 2023.

The Applicant's representative, Bill Donne, Silver Fox Consultants, attended the meeting, addressed the Sub-Committee on the application and answered questions. The Applicant, Malik Muhammad Ali, Sole Director of Rubys Food Limited, also attended the meeting.

Bill Donne confirmed at the meeting that, in the absence of proposed licence conditions in the original application, the Applicant was happy to accept the proposed modified conditions set out in Appendix RS-3 at pages 44-47 of the agenda.

Tabitha Shaw, RBC Licensing and Enforcement Officer, attended the hearing, presented the report and addressed the Sub-Committee. Peter Narancic, RBC Senior Licensing and Enforcement Officer, also attended the meeting and addressed the Sub-Committee.

There were no officers present at the meeting from the Council's Planning Team.

In reaching their decision the Sub-Committee gave due consideration to the written evidence contained in the paperwork and the oral evidence presented at the meeting and to the relevant legislation and guidance; and the policies of Reading Borough Council.

Resolved –

- (1) That, after taking into consideration the Licensing Act 2003, the Secretary of State's Guidance issued under section 182 of that Act and Reading Borough Council's Statement of Licensing Policy and having considered the

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likely effect that granting the application would have on the promotion of the four Licensing Objectives:

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

and having considered:

- The written representations submitted by Reading Borough Council's Planning Team and Reading Borough Council's Licensing Enforcement Team;
- the oral representations made by the Applicant's representative; and
- the conditions proposed by Reading Borough Council's Licensing Enforcement Team and agreed by the Applicant, as set out at pages 44-47 of the agenda;

the Sub-Committee agreed to grant the Premises Licence, to allow the following licensable activities:

Provision of Late Night Refreshment:

Monday to Thursday	from 2300hrs until 0200hrs
Friday to Sunday	from 2300hrs until 0400hrs

Hours the Premises is Open to the Public:

Monday to Thursday	from 1100hrs until 0200hrs
Friday to Sunday	from 1100hrs until 0400hrs

subject to the modified conditions that had been agreed between Reading Borough Council and the Applicant as set out in Appendix RS-3 to the report at pages 44-47 of the agenda.

(The meeting started at 9.30am and closed at 10.17 am)