

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

Present: Councillors Woodward (Chair), Keane and Stevens.

26. EXCLUSION OF THE PRESS AND PUBLIC

Resolved –

That, pursuant to Section 100A of the Local Government Act 1972 (as amended), members of the press and public be excluded during consideration of the following item of business as it was likely that there would be disclosures of exempt information as defined in paragraphs 1, 2, 3, 5 and 7 specified in Part 1 of Schedule 12A (as amended) to that Act.

27. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE – THE RED COW, 56 STAR ROAD, CAVERSHAM, READING, RG4 5BE

The Sub-Committee considered a report on an application by Thames Valley Police, a named responsible authority under the Licensing Act 2003, to review the Premises Licence in respect of the Red Cow, 56 Star Road, Caversham, Reading, RG1 5BE.

The report explained that the application for review had been submitted by Thames Valley Police in order to address the failure of the premises licence holder to promote the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm) via their insufficient measures to comply with their licence conditions and the purchasing of stolen goods on the premises.

The following documents were appended to the report:

Appendix TS1	Review Application Form;
Appendix TS2	Representations from Reading Borough Council Licensing Team
Appendix TS3 to TS13	Resident representations
Appendix TS14	21 resident representations that did not meet the criteria as set out in the Licensing Act 2003 section 18, subsection 6a, as valid representations (included to give a full picture)
Appendix TS15	Google Maps aerial view of the area.

The existing Premises Licence permitted the following licensable activities:

Performance of Live Music, Playing of Recorded Music, Performance of Dance

Friday to Saturday 1900 hours until 2300 hours

Hours for the Sale by Retail of Alcohol (on & Off the Premises)

Monday to Sunday 1000 hours until 2300 hours

Hours the Premises is Open to the Public

Monday to Sunday 1000 hours until 2300 hours

The report explained that these concerns were based on the breaches of the conditions attached to the licence that had been observed on several visits by RBC Licensing officers and Thames Valley Police to the premises. The report also explained that the Premises Licence Holder had purchased stolen goods on the premises.

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Declan Smyth, Simon Wheeler, Gary Clarke and Vince Moore, all of Thames Valley Police, attended the meeting, addressed the Sub-Committee, asked and responded to questions.

During the 28-day consultation period representations had been received from Reading Borough Council Licensing Authority and their submission was attached to the report. Robert Smalley, Licensing and Enforcement Officer, Reading Borough Council, attended the meeting, addressed the Sub-Committee and asked and responded to questions.

Ms Sangita Gurung, the Premises Licence Holder and previous Designated Premises Supervisor, and her representative, Bill Donne, Silver Fox Licensing Consultants, were present at the meeting. Bill Donne addressed the Sub-Committee and answered questions.

Local residents who had submitted representations during the 28-day consultation period, attended the meeting and spoke in support of Ms Gurung.

Tabitha Shaw, Licensing and Enforcement Officer, presented the report.

Resolved –

- (1) That, after taking into consideration the Licensing Act 2003, the Secretary of State's latest Guidance issued under section 182 of that Act, and the Council's Statement of Licensing Policy and having considered the likely effect of imposing each of the options available under the Secretary of State's Guidance upon the promotion of the four Licensing Objectives, namely:

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

and having read and considered the written reports from Thames Valley Police, Reading Borough Council Licensing Authority, the Respondent Premises Licence Holder, and their respective appendices, including the three videoclips and having listened carefully to the representations made by the Applicant (Thames Valley Police), to the representations made by Reading Borough Council Licensing Authority, to the representations made on behalf of the Premises Licence Holder, and to the representations made in person by two local residents, the Sub-Committee decided to:

- a) Suspend the Premises Licence for the Red Cow, 56 Star Road, Caversham, Reading for a period of three months, and such suspension will start either 21 days from the date of notification, or, after any appeal is dealt with: and
- b) Remove the Designated Premises Supervisor.
- c) Two additional conditions to be added to the Premises Licence:

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- i) The Designated Premises Supervisor shall not be either Sangita Gurung or Anjali Gurung.
 - ii) Should Thames Valley Police or the Licensing Authority require any upgrade to the Premises CCTV then they should formally notify the Premises Licence Holder of this within the next three months, and the requirements must be provided within one month of the notification (unless otherwise agreed by the Licensing Authority) and thereafter must remain.
- (2) That the Sub-Committee's reasons for this decision were as follows:
- a) The Sub-Committee considered that the breaches of the licence conditions and purchasing of stolen goods on the premises were a very serious matter and were a failure to uphold the four Licensing Objectives, particularly with respect to public safety and the prevention of crime and disorder;
 - b) The Sub-Committee had regard to the need to uphold the Licensing Objectives to prevent future harm and also, the need to make a proportional decision;
 - c) The Sub-Committee had regard to the strong support of the community who valued what the premises provided for the community;
 - d) The Sub-Committee also had regard to the stated regret and recognition by Ms Sangita Gurung of the seriousness of the situation in front of the Sub-Committee today;
 - e) The Sub-Committee expressed the hope that the period of suspension would mean that hereafter there would be no further issues at the premises.
 - f) Balancing all of these considerations, the Sub-Committee decided that suspension of the Premises Licence for the maximum period permitted, along with the other measures decided upon, was appropriate in all the circumstances.

The applicant and the Premises Licence Holder were informed of their right of appeal.

(The meeting started at 5.30 pm and closed at 8.43 pm)