

## LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 14 FEBRUARY 2019

**Present:** Councillors Woodward (Chair) and Rowland.

**Apologies:** Councillor Grashoff

### 25. MINUTES

The Minutes of the meetings of Licensing Applications Sub-Committee 1 held on 4 December 2018 and 18 December 2018 and Licensing Applications Sub-Committee 2 held on 6 December 2018 and 13 December 2018 were confirmed as correct records and signed by the Chair.

### 26. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - UNION FOOD AND WINE

The Head of Planning, Development and Regulatory Services submitted a report on an application by Mr Ajeet Singh Chopra for the grant of a Premises Licence in respect of Union Food and Wine, 11b Union Street, Reading, RG1 1EU.

The report stated that the premises did not currently have a Premises Licence in force and that the premises was located within the Council's Cumulative Impact Area. As stated in the report, the application was seeking the following:

#### Sale of Alcohol (On and Off the Premises)

Monday to Sunday from 0700hrs until 0000hrs (Midnight)

#### Hours Open to the Public

Monday to Sunday from 0700hrs until 0000hrs (Midnight)

A copy of the application form was attached to the report at Appendix 1.

The report stated that during the 28 day consultation process for the application, representations had been received from Reading Borough Council's Licensing Team (attached to the report at Appendix 2), Thames Valley Police (attached to the report at Appendix 3) and an interested party (attached to the report at Appendix 4).

The application was made in an area subject to the Council's Cumulative Impact Policy, which created a rebuttable presumption that applications for the grant of premises licences which were likely to add to the existing cumulative impact would normally be refused or subject to certain limitations, following representations, unless the applicant could demonstrate that there would be no negative cumulative impact on one or more of the licensing objectives.

The report stated that in considering 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

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The report also stated that any conditions placed on the premises licence should be appropriate and proportionate with a view to promoting the licensing objectives and that the Licensing Authority could amend, alter or refuse an application should it be deemed appropriate for the promotion of the licensing objectives.

The report set out paragraphs 1.5, 8.41-8.49, 9.4-9.13, 10.15 and 14.63-14.64 from the Secretary of State's guidance issued under Section 182 of the Licensing Act 2003 (April 2018) and paragraphs 2.1-2.14, 3.2-3.3, 6.1-6.2, 6.11-6.13, 6.16, 9.1-9.3, 9.6-9.7, 12, 12.1-12.3, 12.6-12.8, 12.10-12.15, 12.18-12.21, 12.23-12.24, 12.32 and 12.35 from the Council's Statement of Licensing Policy (October 2018).

Richard French, Licensing Officer, Reading Borough Council and Declan Smyth, Licensing Officer, Thames Valley Police, were both present and addressed the Sub-Committee on their representations regarding the application as stated in the report.

The applicant was represented by Mr Duncan Craig, Barrister, Citadel Chambers, who addressed the Sub-Committee on the application and responded to questions. Mr Ajeet Singh Chopra, the applicant, was present and responded to questions from the Sub-Committee and was accompanied by Mr Surendra Panchal, Personal Licence Courses Ltd.

### Resolved -

That, in order to promote the licensing objectives, and having regard to the oral and written representations made, the Secretary of State's guidance issued under section 182 of the Licensing Act 2003 (April 2018) and the Council's Statement of Licensing Policy in respect of cumulative impact, the Sub-Committee was not satisfied that the presumption against granting the application had been rebutted and therefore the application for the grant of a Premises Licence in respect of Union Food and Wine, 11b Union Street, be refused. The Sub-Committee's reasons were:

- (a) that despite the applicant's representative making attempts to address the issue of the Cumulative Impact Policy at the hearing, the Sub-Committee was very concerned that the original application made no mention of the Council's Cumulative Impact Policy or how the policy would be rebutted;
- (b) the Sub-Committee was not satisfied that the Premises Licence Holder had sufficient grasp of the reasons for and objectives of the Council's Cumulative Impact Policy;
- (c) the Sub-Committee was not confident that the Premises Licence Holder would promote the licensing objectives within the Cumulative Impact Area and in particular a sensitive part of that area.

### 27. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - PREMIER INN

The Head of Planning, Development and Regulatory Services submitted a report on an application by Whitbread Group PLC for the grant of a Premises Licence in respect of Premier Inn, on the site of 20 Hosier Street, Reading, RG1 7JL.

The Sub-Committee decided to adjourn the hearing until further discussions had taken place between the applicant and the Council's planning department.

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(The meeting started at 9.30am and finished at 11.52am)