

Agenda Item 3.

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| TITLE | Haweli Wargrave 45 High Street, Wargrave RG10 8BU Application For Review Of The Premises Licence PR0103 |
| FOR CONSIDERATION BY | Sub Committee of the Licensing and Appeals Committee on 9 May 2018 |
| WARD | Remenham, Wargrave and Ruscombe |
| LEAD OFFICER | Karen Court - Licensing Officer Julia O'Brien – Team Manager Sean Murphy – Public Protection Manager |

PURPOSE OF REPORT

To provide relevant information for the Sub Committee to consider and determine the application from Home Office Immigration Enforcement to review the premises licence PR0103 for Haweli Wargrave.

OUTCOMES

In accordance with S51 of the Licensing Act 2003 and the Wokingham Borough Council Licensing Policy, the application is referred to the Licensing and Appeals Sub Committee for determination as an application for a review has been received.

RECOMMENDATIONS

The Sub Committee to determine the application.

SUPPORTING INFORMATION

Background

Section 51 of the Licensing Act 2003 provides for a responsible authority to apply to the licensing authority for a review of a premises licence.

The representation must relate to particular premises for which a premises licence is in existence and must be relevant to the promotion of the licensing objectives.

Before determining the application, the authority must hold a hearing to consider it and any relevant representations, and take steps as it considers necessary for the promotion of the licensing objectives. The options open to the Sub Committee are:

- Modify the conditions of the licence (The conditions of the licence are modified if any of them is altered or omitted or any new condition is added) (for a period not exceeding three months or permanently)
- Exclude a licensable activity from the scope of the licence (for a period not exceeding three months or permanently)
- Remove the designated premises supervisor
- Suspend the licence for a period not exceeding three months
- Revoke the licence
- Issue formal warnings to the designated premises supervisor and/or premises licence holder
- Take no action

In determining the application, the Licensing Authority has a duty to carry out its functions with a view to promoting the four licensing objectives, which are:

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

For the purposes of the Licensing Act 2003, a child is an individual aged under 18.

The Licensing Authority must also have regard to the representations received, the Licensing Authority's statement of licensing policy and the statutory guidance issued under Section 182 of the Licensing Act 2003.

The application for review of the premises licence was received from Home Office Immigration Enforcement on 15 February 2018. They sent a copy to the licence holder by post and to the responsible authorities.

The grounds given for review are:

- We have grounds to believe the licence holder will fail to meet the licensing objective of prevention of crime and disorder as illegal working has been identified at this premises

The 28 day consultation period ran from 16 February to 15 March 2018.

The responsible authorities, ward members, parish council and licensing authority were advised of the application by email on 16 February 2018.

Site notices advertising the review application were posted at Wokingham Borough Council offices and at the premises.

Due to issues of non-display, with the site notices being removed at the premises, the consultation was restarted on 16 March 2018. The responsible authorities, ward members, parish council and licensing authority were advised of this by email.

The new consultation period ran from 16 March to 13 April 2018.

New site notices were posted at the premises and also at two locations in the vicinity of the premises. One was posted on a street parking sign post outside 65 High Street and

another in the Woodclyffe Hall parish noticeboard, with the kind permission of Wargrave Parish Council. These were checked during the consultation period.

During the statutory consultation period, the following responses were received:

- Thames Valley Police response – “no representation, no recorded incidents regarding this premises”
- Trading Standards response – “no comments”
- Environmental Health response – “no comments”
- Health & Safety – no response received
- Children and Young People’s Services – no response received
- Planning - no response received
- Fire authority – no response received
- Public Health – no response received

The licence holder (Mrs Syeda Suma Begum) has been invited to make any submission she may wish in response, this will be circulated to all parties prior to the hearing if received.

List of Attachments

- Home Office Immigration Enforcement Application for Review
- Copy of current premises licence PR0103

Reasons for Decision

Not applicable

Alternative Options considered, if any

None .

List of Background Papers

Attachments List as Detailed above

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| Date 17 April 2018 | Version No. 1 |

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