

MINUTES OF LICENSING PANEL MEETING - FRIDAY, 21 NOVEMBER 2014

Present:

Councillor Hutton (in the Chair)

Councillors

Green O'Hara

In Attendance:

Sharon Davies, Head of Licensing Service

Bernadette Jarvis, Democratic Services Senior Adviser

1 APPOINTMENT OF CHAIRMAN

Resolved: That Councillor Hutton be appointed Chairman for the meeting.

2 DECLARATIONS OF INTEREST

Councillor Green declared a personal interest, the nature of the interest being that PC Evans was a personal friend of his daughter.

3 PROCEDURE FOR THE MEETING

The Chairman outlined the procedure for the meeting. The Panel had noted that, in addition to the application to review the Premises Licence for Tangerine Tavern, an application to vary the Designated Premises Supervisor to Mr Philip Beckett and a further application to transfer the Premises Licence to N&P Pubs Ltd had been received. The Chairman explained that as the three applications were inextricably linked and as agreed by all parties, the intention would be to deal with all three applications simultaneously.

The Chairman announced that, having considered the written representations, the decision of the Panel was to permit both parties a maximum of 30 minutes to speak at the hearing.

4 APPLICATION TO VARY THE DESIGNATED PREMISES SUPERVISOR- TANGERINE TAVERN

The Panel considered the application to vary the Designated Premises Supervisor for Tangerine Tavern to Mr Beckett.

The Panel noted that Mr Flynn, a previous Director of N&P Pubs Ltd had been the Designated Premises Supervisor for Tangerine Tavern at the time of the incident that had resulted in an application to review the premises licences. The Panel also noted that Mr Flynn had been prosecuted under the Licensing Act 2003 and the Court had forfeited his personal licence.

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The Panel considered representations from Mr Williams, Solicitor representing Lancashire Constabulary and noted the Police's concerns that, should the application to vary the Designated Premises Supervisor for Tangerine Tavern to Mr Beckett be granted, Mr Flynn would still be involved in the operational control of the business and that this would undermine the Licensing Objective of Prevention of Crime and Disorder. PC Evans and PC Driver were in attendance at the meeting and PC Evans made representations to the Panel.

The Panel also considered representations from Mr Colebourne, Solicitor representing Mr Lowe of N&P Pubs Ltd and Mr Beckett, the proposed new Designated Premises Supervisor for Tangerine Tavern. The Panel noted Mr Colebourne's assertions, on behalf of his clients, and similar assertions made by Mr Beckett that a pre-condition of the application to vary the Designated Premises Supervisor was that Mr Flynn would not be involved in the running of the business or be allowed on the premises.

The Panel noted that Mr Beckett had previously been involved in the operation of the premises. The Panel noted the length of time that Mr Flynn and Mr Lowe had been in business together and their continuing other business interests. It also noted the apparent delay between the breakdown in the relationship of Mr Flynn and Mr Lowe and the application to vary the Designated Premises Supervisor.

The Panel carefully considered all the representations made in writing and at the meeting and had due regard to the Council's Statement of Licensing Policy and Secretary of State's Guidance.

The Panel also considered the applications to review the Premises Licence and transfer the Premises Licence in determining the application to vary the Designated Premises Supervisor.

The Panel was satisfied that insufficient evidence had been provided to demonstrate that Mr Flynn would no longer be involved in the running of the premises and as such it considered that the Licensing Objective of Prevention of Crime and Disorder would continue to be undermined if the application to vary the Designated Premises Licence was granted.

Resolved: That the application to vary the Designation Premises Supervisor for Tangerine Tavern to Mr Beckett be refused on the grounds that it was necessary and appropriate to promote the Licensing Objective of Prevention of Crime and Disorder.

Chairman

(The meeting ended 3.40 pm)

Any queries regarding these minutes, please contact:
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