

MINUTES OF LICENSING PANEL MEETING - THURSDAY, 13 DECEMBER 2018

Present:

Councillors

Humphreys

Hunter

Hutton

In Attendance:

Mr Lennox Beattie, Executive and Regulatory Support Manager

Mrs Sharon Davies, Senior Licensing Solicitor

1 APPOINTMENT OF CHAIRMAN

The Licensing Panel considered the appointment of a Chairman for the meeting.

Resolved:

That Councillor Hutton be appointed Chairman for the meeting.

2 DECLARATION OF INTEREST - LICENSING

There were no declarations of interest on this occasion.

3 PROCEDURE FOR THE MEETING

The Chairman explained the procedure for the meeting including that an equal time limit of twenty minutes had been allocated to all parties

4 APPLICATION FOR THE VARIATION OF A PREMISES LICENCE- THE NUMBER 3

The Licensing Panel considered an application for the Variation of a Premises Licence in respect of the Number 3, Devonshire Square. The application requested permission to increase the hours of operation to 01.00am on Thursday and Sunday evenings and to 02.00am on Friday and Saturday evenings. The application also requested that some conditions were to be amended and new conditions have been volunteered. The plan of the premises was also to be updated to reflect the revised layout.

The applicant, Mr Francis Kelly, was in attendance accompanied by his solicitor Mr Michael Woosnam and Mr Michael Sugden, the Company Area Manager. Mr Woosnam explained on behalf of Mr Kelly the application. Mr Woosnam highlighted the change in style of premises to a separate sports bar and wine bar. Mr Woosnam emphasised the good operating record of the applicant and his keenness to work with the responsible authorities. Mr Woosnam further explained that the premises had operated to the revised hours through the use of Temporary Event Notices without issue. Mr Sugden then emphasised that the premises would be operated differently from the other Ma Kelly's branded premises and remain marketed at local customers.

Sergeant Helen Parkinson, Lancashire Constabulary, was in attendance and made representations to the Licensing Panel. Sergeant Parkinson explained that while the

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Police had no issue with the proposed operator of the premises they had concerns regarding the proposed hours and proposed either a refusal or a condition restricting last entry to the premises.

Ms Jennifer Clayton, Senior Environmental Protection Officer, was in attendance and made representations to the Licensing Panel. Ms Clayton highlighted that Environmental Protection's concerns related not to noise from regulated entertainment but from noise from people leaving the premises or using the smoking area. Ms Clayton proposed a number of conditions that she felt could address the issues.

Mr Lee Petrak, Licensing and Trading Standards Manager, was in attendance and made representations to the Licensing Panel. Mr Petrak highlighted concerns regarding the change in emphasis of the premises to a late night drinking lead establishment from a more local food lead business in a prominently residential area. Mr Petrak explained that he felt that premises could increase the risk of alcohol related crime and disorder as it would open far later than other premises.

Mr Dave Blacker, public objector, was in attendance and made representations to the Licensing Panel on behalf of himself and Councillor Simon Blackburn, ward Councillor for Brunswick ward. Mr Blacker highlighted local residents' concerns about noise, crime and anti-social behaviour. Mr Blacker explained that many local residents had contacted Councillor Blackburn.

The Licensing Panel considered carefully the evidence submitted by all parties. It expressed concern that the premises would add to the issues already experienced in the area. It did not consider that conditions would necessarily mitigate these issues and was not satisfied that the operation of Temporary Event Notices on a number of limited occasions showed that in future the premises would work as a late night venue with entertainment. It therefore agreed to refuse the variation.

Resolved:

That the application be refused as it would undermine the Licensing Objective of prevention of Public Nuisance due to the residential nature of the area.

Chairman

(The meeting ended at 11.20 am)

Any queries regarding these minutes, please contact:
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