

MINUTES OF LICENSING PANEL MEETING - THURSDAY, 3 NOVEMBER 2022

Present:

Councillors

Hutton

Sloman

Wilshaw

In Attendance:

Lennox Beattie, Executive and Regulatory Manager

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 for all parties.

4 APPLICATION TO REVIEW A PREMISES LICENCE - TRADES HOTEL

The Licensing Panel considered an application to review the Premises Licence in respect of the Trades Hotel, 51-55 Lord Street. The review application had been submitted on behalf of the Licensing Authority on the grounds of the prevention of crime and disorder. Supporting representations to the review had been submitted by received from Lancashire Constabulary.

The premises had the benefit of a Premises Licence PL1974 authorising the sale by retail of alcohol (for consumption on the premises only) 10:00 – 02:00 daily (for both residents and non-residents) and the provision of late night refreshment 23.00 – 05:00 daily.

Mr Lee Petrak was in attendance on behalf of the Licensing Authority. Mr Petrak highlighted the concerns about a number of elements of the operation of the premises. Mr Petrak particularly highlighted the concerns raised regarding the supplying of alcohol outwith licensed hours and gave a brief history of the operation of the premises including the previous review and the minor variation of the Premises Licence which had been granted in March 2022. Mr Petrak highlighted the licensing visits on the 28 May 2022 where evidence which Mr Petrak believed showed the sale of alcohol after the end of licensing hours. Mr Petrak also highlighted another incident in October 2022 where alcohol had been served after hours. Mr Petrak concluded his representations by

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explaining that while he accepted some of the information submitted by the Licence Holder it still remained clear in his view that a breach of the licence which undermined the Licensing Objectives had taken place.

PC Guy Harrison and PC Emma Pritchard from Lancashire Constabulary were in attendance and spoke briefly in support of the review application.

The Licence holder Mr Neil Cropper was in attendance accompanied by his agent Mr Mark Marshall. Mr Marshall explained on behalf of Mr Cropper that he accepted that his conduct had been unwise but did not necessarily accept the view of Mr Petrak that there had been a breach of licensing conditions. The incident on the 28 May 2022 reflected a confusion in the licence holder's view as to whether alcohol purchased before the terminal hour could be served after 2am but Mr Cropper now accepted that this form of operation would not take place. The October incident involved the consumption of alcohol by personal friends of Mr Cropper as he lived on the premises. Mr Marshall highlighted his view that while the behaviour was not to be advised it did not significantly undermine the Licensing Objective. Mr Marshall also reminded the Licensing Panel that the premises did not have a closing time so "drinking up time" would be unlimited. Mr Marshall highlighted the impact on Mr Cropper and particularly his emotional state.

The Licensing Panel considered the evidence submitted by all parties. It accepted that there had been a breach of the hours of licensable activity. It considered that a short suspension would be necessary to ensure future compliance and that a condition for clarity re drinking up time would also be necessary and proportionate.

Resolved:

That in respect of the review of the Premises Licence for Trades Hotel the following action be taken

1. That the Premises Licence be suspended for a period of fourteen days.
2. That an additional condition be added to the licence that the bar area be closed to non-residents from 2.30am and no consumption of alcohol take place after that hour.

Chairman

(The meeting ended 10.20 am)

Any queries regarding these minutes, please contact:
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