

Minutes of Licensing Sub-Committee

Meeting Date: Thursday, 20 November 2014 at 10am

Councillors:

Councillor J Alcock (Chairman)
Councillor I Brown
Councillor R Hargreaves

In attendance: Solicitor, Admin and Licensing (Alcohol & Entertainment) Officer, Malcom Ireland (Solicitor for the Applicant), Joycelyn Neve (Seafood Pub Company Holdings Ltd), ("the Applicant").

APPLICATION FOR NEW LICENCE - ASSHETON ARMS, DOWNHAM

The Sub-Committee considered a report submitted by the Head of Legal and Democratic Services on the determination of an application required under Section 18 of the Licensing Act 2003. The Applicant had made an application for a premises licence to be granted for the Assheton Arms, Downham. Although this was a new application, Members were made aware that a premises licence was already in force for the Assheton Arms. The new application was for the following:

1. To supply alcohol for consumption on and off the premises:
 - Monday to Sundays 0001 hours until midnight.
 - Alcohol will not be sold to persons other than residents and their bona fide guests other than between 1000 hours and 0100 hours.
 - This condition will not apply between the hours of 1000 hours and 0200 hours on the last Friday before Christmas Day, on Christmas Eve, on the Fridays, Saturdays, Sundays and Mondays of Bank Holiday weekends.
 - Between 0100 hours on New Year's Eve and 1000 hours on New Year's Day.
2. To provide regulated entertainment in the form of live music, recorded music, performance of dance and anything of a similar description to that falling within (e), (f) or (g) all indoors only:
 - Monday to Sunday 1000 hours until 0100 hours
 - Christmas Eve 1000 hours until 0200 hours
 - Christmas Day 1000 hours until 0200 hours
 - Fridays, Saturdays, Sundays and Mondays on Bank Holiday weekends 1000 hours until 0200 hours
 - New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
3. To provide late night refreshment indoors only:
 - Monday to Sunday 2300 hours until 0500 hours.

4. To open the premises to the public:
 - Monday to Sunday 0001 hours until midnight.

The report highlighted that three relevant representations had originally been submitted. However, the Applicant had consulted with those who had submitted the representations and mediation had taken place. As a result the Applicant had now agreed to amend the application as follows:

- The permitted timings for any regulated entertainment will terminate at 2300 hours instead of 0100 hours as initially requested in the application.
- The first condition on the application is also amended to the effect that alcohol may not be sold to any person other than residents or their bona fide guests after midnight instead of after 0100 hours as initially requested by the application.

As a result of those concessions, two of the representations had been withdrawn. One representation still remained.

The Applicant's Solicitor then clarified the reasons for the new application, gave an explanation of the proposed changes and set out the Applicant's position in relation to each of the issues raised in the remaining representation.

Decision

The Sub-Committee informed the Applicant and its Solicitor that they would release their decision within 5 working days of this Sub-Committee.

The Sub-Committee's decision is available at:

https://www.ribblevalley.gov.uk/download/downloads/id/9985/assheton_arms_downham

The meeting closed at 10.20am.

If you have any queries on these minutes please contact Diane Rice (414418).

Minutes of Licensing Sub-Committee

Meeting Date: Wednesday, 10 December 2014 at 10am

Councillors:

Councillor M Thomas (Chairman)

Councillor I Brown

Councillor G Scott

In attendance: Solicitor, Admin and Licensing (Alcohol & Entertainment) Officer, Margaret Hughes (Applicant), Simon Leech (business partner of Applicant), Gill Sherrat (Applicant's representative), Jonathan Smith (Whalley Parish Councillor), Lesley Luckin , Observing: Peter Foley and Julie Foley (Queen Street residents), Councillors T Hill and J Holgate (Whalley Ward Councillors).

INTRODUCTIONS

The Chair introduced the panel and explained how the Licensing Sub-Committee would deal with the application before them and how the objectors would be heard.

THE APPLICATION

The Applicant's representative provided background information on the character and qualifications of the Applicant and her business partner and gave details of the request for variation of the existing licence for Brady's, Queen Street, Whalley, BB7 9TA ,which were as follows:

	Authorised by existing licence	Applied for in variation
Supply of alcohol:		
Sun	12.00-22.30	9.00-23.00
Mon	11.00-00.00	9.00-00.30
Tues	11.00-00.00	9.00-00.30
Wed	11.00-00.00	9.00-00.30
Thurs	11.00-00.00	9.00-00.30
Fri	11.00-00.00	9.00-01.30
Sat	11.00-01.00	9.00-01.30
Bank Holidays Bank Holiday weekends (Fri/Sat/Sun) Christmas Eve Boxing Day New Year's Eve/Day	-	Christmas Eve 09.00-02.00 From the start of permitted hours on New Year's Eve to 02.00 on New Year's Day
Opening hours of premises:		
Sun	12.00-23.00	09.00-23.00
Mon	11.00-00.30	09.00-00.30
Tues	11.00-00.30	09.00-00.30
Wed	11.00-00.30	09.00-00.30
Thurs	11.00-00.30	09.00-00.30
Fri	11.00-00.30	09.00-01.30
Sat	11.00-01.30	09.00-01.30

Bank Holidays Bank Holiday weekends (Fri/Sat/Sun) Christmas Eve Boxing Day New Year's Eve/Day	-	Christmas Eve 09.00 to 02.00 From the start of permitted hours on New Year's Eve to 02.00 on New year's Day
Provision of Films:		
Sun	-	09.00-23.00
Mon	-	09.00-00.30
Tues	-	09.00-00.30
Wed	-	09.00-00.30
Thurs	-	09.00-00.30
Fri	-	09.00-01.30
Sat	-	09.00-01.30
Bank Holidays Bank Holiday weekends (Fri/Sat/Sun) Christmas Eve Boxing Day New Year's Eve/Day	-	Christmas Eve 09.00 to 02.00 From the start of permitted hours on New Year's Eve to 02.00 on New year's Day
Indoor Sporting Events:		
Sun	19.30-21.30	09.00-23.00
Mon	19.30-21.45	09.00-00.30
Tues	19.30-21.45	09.00-00.30
Wed	19.30-21.45	09.00-00.30
Thurs	19.30-21.30	09.00-00.30
Fri	19.30-21.30	09.00-01.30
Sat	19.30-21.30	09.00-01.30
Bank Holidays Bank Holiday weekends (Fri/Sat/Sun) Christmas Eve Boxing Day New Year's Eve/Day	-	Christmas Eve 09.00 to 02.00 From the start of permitted hours on New Year's Eve to 02.00 on New year's Day
Live Music:		
Sun	12.00-23.00	09.00-23.00
Mon	11.00-00.30	09.00-00.30
Tues	11.00-00.30	09.00-00.30
Wed	11.00-00.30	09.00-00.30
Thurs	11.00-00.30	09.00-00.30
Fri	11.00-00.30	09.00-01.30
Sat	11.00-01.30	09.00-01.30
Bank Holidays Bank Holiday weekends (Fri/Sat/Sun) Christmas Eve Boxing Day New Year's Eve/Day	-	Christmas Eve 09.00 to 02.00 From the start of permitted hours on New Year's Eve to 02.00 on New year's Day
Provision of recorded Music:		
Sun	12.00-23.00	09.00-23.00
Mon	11.00-00.30	09.00-00.30
Tues	11.00-00.30	09.00-00.30
Wed	11.00-00.30	09.00-00.30

Thurs	11.00-00.30	09.00-00.30
Fri	11.00-00.30	09.00-01.30
Sat	11.00-01.30	09.00-01.30
Bank Holidays Bank Holiday weekends (Fri/Sat/Sun) Christmas Eve Boxing Day New Year's Eve/Day	-	Christmas Eve 09.00 to 02.00 From the start of permitted hours on New Year's Eve to 02.00 on New year's Day
Provision of the performance of dance:		
Sun	-	09.00-23.00
Mon	-	09.00-00.30
Tues	-	09.00-00.30
Wed	-	09.00-00.30
Thurs	-	09.00-00.30
Fri	-	09.00-01.30
Sat	-	09.00-01.30
Bank Holidays Bank Holiday weekends (Fri/Sat/Sun) Christmas Eve Boxing Day New Year's Eve/Day	-	Christmas Eve 09.00 to 02.00 From the start of permitted hours on New Year's Eve to 02.00 on New year's Day
Provision of anything of a similar description to live music, recorded music or performances of dance:		
Sun	-	09.00-23.00
Mon	-	09.00-00.30
Tues	-	09.00-00.30
Wed	-	09.00-00.30
Thurs	-	09.00-00.30
Fri	-	09.00-01.30
Sat	-	09.00-01.30
Bank Holidays Bank Holiday weekends (Fri/Sat/Sun) Christmas Eve Boxing Day New Year's Eve/Day	-	Christmas Eve 09.00 to 02.00 From the start of permitted hours on New Year's Eve to 02.00 on New year's Day
Provision of late night refreshment:		
Sun	-	-
Mon	-	23.00-00.30
Tues	-	23.00-00.30
Wed	-	23.00-00.30
Thurs	-	23.00-00.30
Fri	-	23.00-01.30
Sat	-	23.00-01.30

Bank Holidays Bank Holiday weekends (Fri/Sat/Sun) Christmas Eve Boxing Day New Year's Eve/Day	-	Christmas Eve 09.00 to 02.00 From the start of permitted hours on New Year's Eve to 02.00 on New year's Day
Conditions:		
	Annex 2	Remove all conditions in Annex 2 and replace with proposed conditions in section 16

The Applicant's representative outlined the business plan which lay behind the application and referred specifically to the comments and concerns of local people on how this proposal would impact on them.

In particular those concerns were:

1. People arriving/leaving at late hours;
2. Noise from people smoking outside; and
3. Taxis and car parking on a particularly narrow street.

Details were also given of the changes to hours and conditions which the Applicant's representative stated was merely a tidying up exercise to avoid duplication and to make conditions more up to date and relevant. The Applicant's representative states that the proposal for a 9am start for serving alcohol could be revised to 11am.

A number of local residents then voiced their concerns about the application and the potential impact it would have upon them. These concerns included:

- Queen Street is a very long narrow one way street and increased traffic would have a big impact;
- lack of provision for disabled access at the front of the building;
- 9am commencement for alcohol licence is too early;
- soundproofing of premises needs to be resolved;
- increase of dubious activities in the back alley behind Queen Street; and
- increase in number of people smoking outside the premises.

The Applicant's representative answered the points raised by local residents and again reiterated the credentials of the new licence holder and her business partner and emphasised that their concerns would be addressed and control measures put in place where practicable. The issue about the lack of disabled access was acknowledged but it was stated that help would be on hand for anyone with a disability.

DECISION

The Chairman informed the Applicant and those who had made representations that their decision and its reasons would be provided within 5 working days of the hearing. The Sub-Committee's decision is available at:

www.ribblevalley.gov.uk/downloads/1004/bradys.whalley

The meeting closed at 11.30am.

If you have any queries on these minutes please contact Diane Rice (01200 414418).