



Ribble Valley
Borough Council
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SECTION 35 LICENSING ACT 2003
NOTICE OF DETERMINATION IN RESPECT OF A HEARING
WHICH TOOK PLACE ON WEDNESDAY 8 OCTOBER 2014
TO DETERMINE AN APPLICATION BY MRS JOANNA CREIGHTON
FOR THE VARIATION OF A PREMISES LICENCE IN RESPECT OF DOVE SYKE NURSERY,
EAVES HALL LANE, WEST BRADFORD, CLITHEROE, LANCASHIRE, BB7 3JG.

The Licensing Sub-Committee met on 8 October 2014. The Sub-Committee comprised the following members:

Councillor J Alcock - Chair
Councillor J Holgate
Councillor M Thomas

Also in attendance:

Solicitor
Licensing Officer
Mrs J Creighton (Applicant)
Councillor M Ranson
Mr N Goodwin
Ms C Smith
Committee Clerk

The Sub-Committee met to consider the application (of the Applicant) to vary the premises licence to:

- include the provision for the sale of alcohol on the premises as well as off the premises;
- extend the hours for the supply of consumption of alcohol; and
- extend the opening hours of the premises.

The Sub-Committee considered the contents of the report of the Chief Executive dated 8 October 2014 and its appendices ("**Report**") and a further document which had been provided by the Applicant.

The Applicant made verbal representations to the Sub-Committee, about her reasons for wishing to vary the licence and the type of additional business which she wished to carry out and explained the ways in which she tried to limit noise and disturbance at current events.

Councillor Ranson made verbal representations and emphasised the extremely rural area in which the premises were situated, the problems with access and safety of those accessing the premises and the noise nuisance which would be caused to the surrounding neighbours.

Mr Goodwin and Ms Smith both made representations about their concerns about the noise which would be caused if the licence was varied in what is an extremely rural and quiet area and also their concerns about safe access to and from the premises.

The Licensing Sub-Committee gave careful consideration to the representations made by all parties, both verbal and written. The Sub-Committee also considered the requirements of the Licensing Act 2003, the licensing objectives, the relevant regulations and the Council's licensing policy.

Having considered all of the above the Sub-Committee resolved to refuse the application for the following reasons:

- The Sub-Committee concluded that given the unique rural location, to vary the licence as applied for would not promote the licensing objective of the prevention of public nuisance.
- The Sub-Committee concluded that the proposed variation would cause a nuisance to the residents living locally, particularly given the nature of the surrounding area. The Sub-Committee was also concerned about issues of public safety given the nature of the premises and its location.
- The Sub-Committee considered whether the application of conditions could address the above concerns but concluded that it would not.