



Ribble Valley
Borough Council
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SECTION 18 LICENSING ACT 2003
NOTICE OF DETERMINATION IN RESPECT OF A HEARING
WHICH TOOK PLACE ON WEDNESDAY 30 MARCH 2016
TO DETERMINE AN APPLICATION BY MR CHRISTOPHER BIRD
FOR A PREMISES LICENCE IN RESPECT OF
116 WHALLEY ROAD, READ, BURNLEY, BB12 7PN

The Licensing Sub-Committee met on 30 March 2016. The Sub-Committee comprised the following members:

Councillor J Alcock - Chair
Councillor J Holgate
Councillor S Hind

Also in attendance:

Solicitor (RVBC)
Administration and Licensing (Alcohol & Entertainment) Officer (RVBC)
Applicant
Ms G Sherratt (Applicant's agent)
Miss A Stevenson
Mr G Hodbod (observing)

The Sub-Committee met to consider the application of Christopher Bird of Raydale, Simonstone Lane, Simonstone, BB12 7NX for a premises licence in respect of 116 Whalley Road, Read, Burnley, BB12 7PN.

The Sub-Committee considered the contents of the report of the Chief Executive dated 30 March 2016 and its appendices ("**Report**").

The Applicant's representative made verbal representations to the Sub-Committee and explained that the intention was for the premises to be an upmarket wine and ale shop, which would not appeal to children. Toilets would be installed on the premises. £4,000 had been spent on security for the premises. The Applicant and his son had both passed the level 2 personal licence course.

Miss Stevenson attended the hearing and made verbal representations. She stated that she was incredibly concerned about the application as were many of her neighbours. She stated that there was a feeling that this application was simply going to go through on the nod. She raised issues regarding the colour of the notice which had been displayed and that she felt it did not attract people's attention. She reiterated that people are very worried and that the concern felt was not represented by the number of representations received.

The Chair made clear to Miss Stevenson that the matter was not a 'done deal' and that this application would be considered fully and properly by the Sub-committee.

The position with regard to the requirements of the notice was explained by the Solicitor and the Administration and Licensing (Alcohol & Entertainment) Officer. Ms Sherratt also explained that she had produced the notice on pale blue paper but that even if she had not there was case law which states that prejudice would need to be shown before the notice was invalidated.

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 grant the Applicant's application for a premises licence as applied for, to include the conditions set out in section 18 of the application as follows:

- The premises will be managed in accordance with the four licensing objectives and all relevant legislation;
- A CCTV system will be in operation at the premises and recorded images shall be retained for a period of 28 days. Downloads of this information will be provided to the Police and other authorities upon reasonable request and in compliance with the Data Protection Act or any successor legislation;
- A register of refusals of alcohol will be maintained at the premises. The register shall be examined on a regular basis by the duty manager/DPS and the date and time of each examination will be endorsed on the register. The register will be made available for inspection by the Police and other authorised officers of the Licensing Authority upon reasonable request.
- An accident register will be maintained at the premises and made available to the authorities on request.
- A notice will be displayed requesting customers to leave the area quietly and respect the local residents.
- All staff at the store will be trained in how to manage any person who they suspect may create a public nuisance in the area of the store. Such people will be asked to leave the area quietly (if safe to do so) and an entry will be made in the incident register.
- The premises will adopt a 'Challenge 25' policy. This means that if a customer purchasing alcohol appears to be under the age of 25 they will be asked for proof of their age, to prove that they are 18 years or older.
- Posters will be on display in the premise advising customers of the 'Challenge 25 policy'.
- The only forms of identification that will be accepted at the premises are a passport, photo-card driving licences & card bearing the 'PASS' hologram.
- Staff will be trained before making sales of alcohol in their responsibilities under the Licensing Act 2003. Training will be documented & made available to the Police and authorised officers of the Licensing Authority upon reasonable request.

The Sub-committee reached this decision because it considered that the licence, as applied for, would not breach the licensing objectives of the Licensing Act 2003.