
LICENSING SUB COMMITTEE

Friday, 5th January, 2018

Present: Councillor Melissa Fisher (in the Chair), Councillors Terry Hurn and Joyce Plummer

Apologies

290 Apologies for Absence

There were no apologies for absence.

291 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations.

292 Minutes of the Last Meeting

The Minutes of the meeting of the Licensing Sub-Committee held on 14th December 2017 were submitted for approval as a correct record.

Resolved - **That the Minutes be received and approved as a correct record.**

293 Licensing Hearing Procedure

The Council's Conduct of Hearings Procedure which was to be used in relation to hearings required under the Licensing Act 2003 was submitted.

Resolved - **That the Procedure be noted.**

The following item was submitted as urgent business with the Chair's agreement in accordance with Section 100B(4) of the Local Government Act 1972. The reason being to comply with the timescale set out in the Licensing Act 2003 for consideration of temporary event notices serviced on the Council.

294 Licensing Act 2003 Determination Hearing - Opium and Voodoo Lounge, Accrington

In accordance with the Hyndburn Borough Council Policy on the Conduct of Hearings and Section 105(2)(a) of the Licensing Act 2003, the Licensing Manager submitted a report relating to Temporary Event Notices served on the Council under Section 100 of the Licensing Act 2003 in respect of the premises known as the Opium and Voodoo Lounge, Willow Street, Accrington for events to take place during January 2018. A subsequent objection submitted by the Lancashire Constabulary was appended to the report, together with the temporary event notices and the existing premises licence. A decision to revoke the existing premises licence had been made by the Licensing Sub-Committee on 14th December 2017 and the 21 days to appeal the decision following receipt of the decision notice supplied meant that the premises licence could still be used during that time.

Police Sergeant Jason Middleton indicated that following meaningful dialogue with the applicant in regard to Police concerns, Lancashire Constabulary wished to withdraw its objection to the granting of temporary event notices for the premises.

The Solicitor to the Council indicated that although the withdrawal of the objection meant there was no case to be considered, it was felt that the seriousness of the recent revocation of the premises licence merited the need to clarify the position relating to marketing of drinks promotions and running of the premises. Police Sergeant Middleton reported that the drinks promotion advertisement had been amended and this, together with the fact that there appeared to have been no recent incidents of crime and disorder at the premises indicated that management of the premises had improved. The Police were satisfied that licensing objectives were no longer being undermined. Copies of previous drinks promotion advertisements and the amended advertisement were circulated at the meeting for information.

The applicant, together with his representative, had been invited to attend the meeting and in that respect the applicant (Richard Stansfield) and his Solicitor (Malcolm Ireland), together with the applicant's brother (Daniel Stansfield) were in attendance.

The Police were aware that licensing conditions were not included in temporary event notices and the applicant and his Solicitor gave assurances that the agreement with the Police would be abided by and that events would be operated in accordance with conditions applicable to new premises licences. Police Sergeant Middleton indicated that the assurances given and the arrangements agreed with the applicant were acceptable. The holder of the premises licence (Michael Cookson) had informed the Licensing Manager that he was happy for the applicant to use the licence provided no inappropriate drinks promotions took place.

The Licensing Sub-Committee emphasised that due to the withdrawal of the objection received from Lancashire Constabulary, it had been clear there was no decision to be made by either the Sub-Committee or the Council in regard to the temporary event notices and that Police Sergeant Middleton, on behalf of Lancashire Constabulary, was satisfied with the assurances given by the applicant and his Solicitor in regard to the proposed drinks promotions and future management of the premises.

- Resolved**
- **That the withdrawal of the objection submitted by Lancashire Constabulary in regard to temporary event notices for the premises known as the Opium and Voodoo Lounge, Willow Street, Accrington and the assurances given to the Police and the Licensing Sub-Committee by the applicant and his Solicitor in relation to the marketing of drinks promotions and the running of the premises be noted.**

Signed:.....

Date:

Chair of the meeting
At which the minutes were confirmed