

TITLE: APPLICATION FOR REVIEW OF PREMISES LICENCE UNDER SECTION 53C OF THE LICENSING ACT 2003

TO:- LICENSING SUB-COMMITTEE

DATE: 3rd JULY 2019

AT: QUEEN ELIZABETH ROOM SCAITCLIFFE HOUSE

BY: LICENSING MANAGER ON BEHALF OF THE EXECUTIVE DIRECTOR (LEGAL AND DEMOCRATIC SERVICES) (EXT 2146)

1. PURPOSE OF THE REPORT

1.1 The purpose of this report is to consider an application for the review of the premises licence relating to the IBar Public House, Warner Street, Accrington, following the submission of an application under section 51 of the Licensing Act 2003 (“the Act”) by a responsible authority namely the Lancashire Constabulary

2. RECOMMENDATIONS

2.1 That the Committee consider the application to review the premises licence for the IBar public house, Warner Street, Accrington made by the Lancashire Constabulary, and any submissions made by the premises licence holder.

3. INFORMATION

3.1 An application for the grant of a premises licence in relation to the IBar public House, Warner Street, Accrington was submitted by the current premise licence holders Bravo Inns II Ltd. on the 8th September 2015 and the licence commenced on the 9th October 2015.

3.2 Since the grant there has been four applications submitted for the change of designated premises supervisor (DPS). The last variation of DPS was granted on the 7th September 2018. The current designated premise supervisor is John Lindsay Corbett.

3.3 The IBar public house is situated on Warner Street at the junction with Church Street in Accrington. The current permissible activities and times are as follows:-

Activity	Permitted times
Performance of Live Music (Indoors)	Mon - Thur Noon - 0330 Fri - Sat 1100 - 0500 Sunday 1100 - 0330
Playing of recorded music (indoors)	Mon - Thur Noon - 0330 Fri - Sat 1100 - 0500 Sunday 1100 - 0330
Performance of dance (indoors)	Mon - Thur Noon - 0330 Fri - Sat 1100 - 0500 Sunday 1100 - 0330

Entertainment of a similar description	Mon - Thur Noon - 0330 Fri - Sat 1100 - 0500 Sunday 1100 - 0330
Late Night Refreshment	Mon - Thur 2300- 0330 Fri - Sat 2300 - 0500 Sunday 2300 - 0330
Supply of alcohol on and off the premise	Mon - Thur 1100 - 0330 Fri - Sat 1100 - 0530 Sunday Noon - 0330
Premise opening hours	Mon - Thur 0700 - 0400 Fri - Sat 0700 - 0600 Sunday 0700 - 0400

A copy of the current licence is attached at **Appendix 1**

- 3.6 On the 24th May 2019 an application for the review of the premises licence pursuant to section 51 of the Act was received from the PS Gary Hennighan on behalf of the Chief Constable of the Lancashire Constabulary in his role as a responsible authority. The ground for the review relates to the licensing objective the prevention of crime and disorder. A copy of the review application is attached at **Appendix 2**.
- 3.7 PS Hennighan has submitted supplementary evidence in the form of police incident logs and they are attached at **Appendix 3**.

4.0 Advertisement

- 4.1 The Licensing Authority advertised the application for review of the premises licence at the Scaitcliffe House, Town Hall, on the Council's website and on the premises itself in accordance with The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005.
- 4.2 Responsible Authorities and other persons were invited to make representations in respect of the application for the review of the premises licence by 19th June 2019. No further representations were received.

5.0 Implications

- 5.1 The Act at section 52(2) and (3) states that, before determining the application, the licensing authority must hold a hearing to consider it and any relevant representations. It must, having regard to the application and any relevant representations, take such steps mentioned in section 52 (4) (if any) as it considers necessary for the promotion of the licensing objectives.
- 5.2 The steps referred to in paragraph 5.1 above are:-
- a) to modify the conditions of the licence;

- b) to exclude a licensable activity from the scope of the licence;
- c) to remove the designated premises supervisor
- d) to suspend the licence for a period not exceeding three months;
- e) to revoke the licence;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

- 5.4 Where the licensing authority takes a step mentioned at a) or b) in paragraph 5.2 above in relation to the review, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.
- 5.5 Any party to the hearing has the right of appeal to Lancashire Magistrates' Court following the determination of the review under section 52 of the Act.

For further information on the details of this report, please contact:
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