

**MINUTES OF: LICENSING SUB-COMMITTEE
HEARING UNDER THE LICENSING ACT 2003**

DATE OF MEETING: 16th September 2019

PRESENT: Councillors Gill (Chair), Haworth and Neal

IN ATTENDANCE: Miss Y Ahmed, Legal Advisor
Miss S Chadwick, Licensing Enforcement Officer
Miss G Ashton, Hearing Administrator

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. APPLICATION FOR VARIATION OF A PREMISES LICENCE: FREDDY'S CHICKEN, 8 BURY ROAD, RAWTENTALL, ROSSENDALE, BB4 6AA

3.1 The Licence Holder had applied for the variation of a premises licence for Freddy's Chicken, 8 Bury Road, Rawtenstall, Rossendale, BB4 6AA.

3.2 The Licence Holder was not in attendance at the hearing.

3.3 The Licensing Enforcement Officer advised the sub-committee of the telephone note and the reason for non-attendance.

3.4 The sub-committee were advised of other persons that were not present at the hearing and the reasons why.

3.5 The sub-committee were presented with advice from the Legal Officer in regards to adjournments.

3.6 The sub-committee decided to hear details of the application in the Licence Holder's absence.

3.7 The Licensing Enforcement Officer presented their report and provided additional appendices (Appendix E and Appendix F) to the sub-committee.

3.8 The Hearing procedure was followed.

4. DECISION

4.1 After giving consideration to all the written representations made and after giving proper consideration to the Licensing Objectives, the Sub-Committee, appointed under the Licensing Act 2003, decided to take the following action on the variation of the premises licence for the premises under Section 34 of the 2003 Act.

Resolved:

That the application for the variation of the premises licence at Freddy's Chicken, 8 Bury Road, Rawtenstall be granted in part.

The sub-committee accepted the reduction of hours on Monday – Thursday by 1 hour from 0200 hours to 0100 hours.

The sub-committee rejected the increase in hours for Friday, Saturday and Sunday by 2 hours from 0200 hours to 0400 hours.

The reasons for the decision were:

- Due to the current impact on the residential properties.
- The attraction of more people to the area causing more concern in regards to noise, litter and nuisance.
- Disturbances affecting the community.
- No current steps being taken to tackle existing issues.

The sub-committee also considered the modification of conditions produced by the Licensing Officer (Appendix F) and accepted this in full and was of the view that the conditions would go towards alleviating the residents' concerns for the potential of nuisance and disturbance.

This decision was made because the committee were satisfied that these measures were necessary to satisfy the following licensing objectives:

- *The prevention of public nuisance*

A determination notice would be served on all parties in due course.

There was a right of appeal for all parties before the Magistrates' Court which must be exercised within 21 days on receipt of the Determination Notice.

The hearing commenced at 10.15am and finished at 11.00am