

<b>Report of:</b>	Public Protection Manager	<b>Licence Type:</b>	Premises Licence
<b>Report to:</b>	Licensing Committee	<b>Date:</b>	16 <sup>th</sup> March 2020
<b>Contact Officer:</b>	Susan Chadwick	<b>Telephone:</b>	01706 238 648
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**PREMISES DETAILS**

<b>Name:</b>	Bees Knees
<b>Address:</b>	20 Bacup Road, Rawtenstall, Rossendale, BB4 7ND
<b>Ward:</b>	Hareholme
<b>Application:</b>	Application for the review of a premises licence

<b>1.</b>	<b>REASON FOR REFERRAL</b>
1.1	To advise members of an application for the review of a premises licence under Section 51 of the Licensing Act 2003.
<b>2.</b>	<b>RECOMMENDATIONS</b>
2.1	It is recommended that members determine the application in accordance with the provisions of the Licensing Act 2003.
<b>3.</b>	<b>LICENSING OBJECTIVES</b>
3.1	Members are reminded of the Licensing objectives as follows: <ul style="list-style-type: none"> <li>• The prevention of crime and disorder;</li> <li>• Public Safety;</li> <li>• The prevention of public nuisance; and</li> <li>• The protection of children from harm</li> </ul>
<b>4.</b>	<b>BACKGROUND</b>
4.1	The premises subject to this review has been licensed since September 2005 with that licence coming into force on 24 <sup>th</sup> November 2005 following the application to convert the existing Justice’s Licence and vary the premises licence.
4.2	At that time, the premises operated as a public house known as the Crown. The variation application sought live and recorded music and the sale of alcohol from generally, 1100 hours to 2300 hours on Mondays to Wednesdays, midnight on Thursdays, 0100 on Fridays and Saturdays and 2230 on Sundays.
4.3	The licence holder at this time was Punch Taverns and they held the licence until 21 <sup>st</sup> January 2010.
4.4	The premises licence was then transferred to Crystal Land & Property Ltd and the premises became known as The Pub. They held this licence until 20 <sup>th</sup> July 2016.

4.5	The premises was then transferred to Rawtenstall Holdings Ltd on 20 <sup>th</sup> July 2016 and the premises became known as the Bees Knees.
4.6	At this time, a simultaneous application to vary the premises licence was submitted. The application proposed to extend live and recorded music and the supply of alcohol to 0300 hours Monday to Sunday. The application also sought to add the provision of late night refreshment to the same hours.
4.7	There were no representations received in respect of this application and it was therefore granted as applied for.
4.8	The premises licence has remained unchanged since then (bar from DPS variations and a change of name in respect of the premises licence holder). The premises licence holder is AJP Leasehold Limited and the licence is appended at <u>Appendix A</u> .
4.9	The premises licence authorises the following activities:  <b><u>Live music, recorded music, late night refreshment and the sale of alcohol:</u></b> Between 0900 hours and 0300 hours Monday to Sunday.  <b><u>Non-standard timings:</u></b> The sale of alcohol shall be permitted from the terminal hours on New Year's Eve until the start of permitted hours on New Year's Day. An additional hour shall be permitted to the terminal hours on Christmas Eve, Boxing Day, each Friday, Saturday and Sunday of May and Spring/Whitsun and August Bank Holiday weekends and each Thursday, Friday, Saturday, Sunday and Monday of Easter Bank Holiday weekend.
4.10	The conditions imposed upon the premises licence (bar from mandatory conditions which the Licensing Authority have no discretion over) are appended as <u>Appendix B</u> .
<b>5.</b>	<b>THE APPLICATION</b>
5.1	On 22 <sup>nd</sup> January 2020, an application to review the premises licence was received by the Licensing Authority. This application was made by the Environmental Health department and is appended at <u>Appendix C</u> .
5.2	The application is made on the grounds of the prevention of public nuisance licensing objectives.
5.3	The applicant served evidence number 7 after submitting the application and this is appended at <u>Appendix D</u> . This has been served on the licence holder.
5.4	On various dates following the submission of the application, the applicant served video clips in support of the previously submitted evidence. These were served on the licence holder at the time. For ease, the schedule of video clips and the evidence they refer to is appended at <u>Appendix E</u> .
5.5	The video clips comprise <u>Appendix F</u> and will be made available to the sub-committee prior to the determination hearing.
5.6	In accordance with the requirements of the Act, the review application was advertised at the premises by way of the statutory blue notice for a consecutive

	period of 28 days. A notice was attached to the front window of the premises as well as a lighting column to the side of the business. The application was also advertised on the Council's website and from its main offices at Futures Park.
<b>6.</b>	<b>REPRESENTATIONS</b>
6.1	On 17 <sup>th</sup> February 2020 a relevant representation was received and this is appended at <u>Appendix G</u> .
6.2	The representation refers to having enclosed appendices of video clips, emails and other such correspondence. These have not been received with the representation.
6.3	The representation raises some issues which members cannot take into account and raises issues about the conduct of customers which may be beyond the control of the licensee. Members should consider the representation carefully and attach weight to matters they deem relevant.
6.4	The representation makes reference to being happy to give the licence holder time to implement changes which will address the issues raised and the licence be revoked if the changes are not implemented within 3 to 6 months.
6.5	Members should note that the representation has not been withdrawn and that a licence cannot be automatically revoked if the changes are not implemented within the time scale above.
<b>7.</b>	<b>OPTIONS</b>
7.1	Members should always consider whether concerns raised can be overcome by the addition of conditions.
7.1	Members should consider the application, the representations and all submissions made and must take the steps below (if any) as it considers appropriate for the promotion of the licensing objectives. The steps are: <ol style="list-style-type: none"> <li>1. To modify the conditions of the licence;</li> <li>2. To exclude a licensable activity from the scope of the licence;</li> <li>3. To suspend the licence for a period of not exceeding three months;</li> <li>4. To revoke the licence</li> <li>5. To issue a warning (which must be written and given to the licence holder);</li> <li>6. To take no further action.</li> </ol>
<b>8.</b>	<b>POLICIES TO CONSIDER</b>
8.1	<ul style="list-style-type: none"> <li>• Rossendale Borough Council's Statement of Licensing Policy effective 20<sup>th</sup> March 2019.</li> <li>• Guidance issued under Section 182 of the Licensing Act 2003.</li> </ul>
<b>9.</b>	<b>CRIME AND DISORDER</b>

9.1	<p>Section 17(1) of the Crime and Disorder Act 1998 places a duty on the Local Authority to have due regard to the likely effect of the exercise of these functions on preventing in its area, the following;</p> <ul style="list-style-type: none"> <li>• crime and disorder;</li> <li>• misuse of drugs alcohol and other substances; and</li> <li>• re-offending.</li> </ul>
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**APPENDICES**

Appendix A	Premises Licence
Appendix B	Premises Licence Conditions
Appendix C	Application Form for Review
Appendix D	Environmental Health Evidence 7
Appendix E	Schedule of video clips submitted by Environmental Health
Appendix F	Video Clips submitted by Environmental Health (not for publication)
Appendix G	Representation