

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

**DATE OF MEETING: 16<sup>th</sup> March 2020**

**PRESENT: Councillors Pendlebury (Chair), Bromley and Haworth**

**IN ATTENDANCE: Ms Y Ahmed, Legal Advisor  
Miss S Chadwick, Licensing Enforcement Officer  
Mrs J Wood, Hearing Administrator  
Mr J Mcdonald, Director  
Mr Ireland, Napthens Solicitors  
Mr M Whitaker, DPS  
Mr S Rowe, Out of Hours Noise Team  
Mr M Duck, Out of Hours Noise Team  
Dr Tahir, Interested Party**

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**1. APPOINTMENT OF CHAIR**

Moved by Councillor Bromley and seconded by Councillor Haworth.

**Resolved:**

That Councillor Pendlebury be appointed Chair of the meeting.

Councillor Pendlebury in the Chair.

**2. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

There were no apologies for absence.

**3. CHAIRMAN'S INTRODUCTION**

The Chair welcomed all parties to the meeting and asked the members of the Sub-Committee and Council Officers to introduce themselves.

**4. DECLARATIONS OF INTEREST**

No declarations were made.

**5. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE  
AT: BEES KNEES, 20 BACUP ROAD, RAWTENSTALL, ROSSENDALE, BB4 7ND**

5.1 The Director, Solicitors, DPS, Out of Hours Team, Interested Party and Responsible Authority attended the hearing with regard to an application for Bees Knees, 20 Bacup Road, Rawtenstall, Rossendale, BB4 7ND.

5.2 All parties consented to a public hearing.

5.3 The Hearing procedure was followed, although it was agreed by all parties that the Interested Party would present their case before the Responsible Authority due to time constraints.

5.4 The Licensing Enforcement Officer presented the report.

5.5 The Interested Party presented their case.

5.6 Members asked questions of the Interested Party.

- 5.7 The Responsible Authority presented their case.
- 5.8 Members asked questions of the Responsible Authority.
- 5.9 The Licence Holders' Representative presented their case.
- 5.10 Members asked questions of the Licences Holder and Licence Holders' Representative.
- 5.11 All parties provided clarification.
- 5.12 The Licence Holders' Representative made their final statement.
- 5.13 The Interested Party made their final statement.
- 5.14 The Responsible Authority made their final statement.
- 5.15 All parties left the room whilst the committee deliberated the legal advisor and hearing administrator remained in the room.
- 5.16 Ms Ahmed left the room to discuss clarification of one of the conditions with the Licensing Enforcement Officer, the Licence Holders and their Representative; this was agreed by all members.
- 5.17 Ms Ahmed entered the room after discussions.
- 5.18 All parties returned to the meeting for the announcement of the decision.

## 6. **DECISION**

- 6.1 After giving consideration to all the written and verbal representations made by the Licensing Enforcement Officer, Responsible Authority and applicant 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 application for the grant of a premises licence under Section 52(4) of the 2003 Act.

### **Resolved:**

To modify the conditions of the licence as follows:

1. Any regulated entertainment which takes place at the premises will be directed through a noise limiting device. Said device will be calibrated at such a level that noise does not constitute a nuisance at neighbouring premises.
2. The premises will have a written dispersal policy which is designed to encourage patrons to leave the premises and the area quickly and quietly. Door supervisors and relevant staff will be trained in respect of said policy and said training will be documented and produced to an authorised officer upon request.
3. When on duty, door supervisors will be tasked with ensuring that customers do not leave the premises with drinks, including glasses or bottles.
4. When on duty, door supervisors will be stationed at the main public entrance and a door supervisor will be stationed at the side exit/smoking area. These door supervisors will be specifically tasked with managing any customers who are outside the premises to ensure that they do not act in a way that could cause nuisance to neighbours. The door supervisor stationed at the side

exit/smoking area will be tasked with discouraging customers from going behind the premises.

5. On all evenings at the end of the trading period, staff at the premises will ensure that the area in the immediate vicinity of the premises is clean, tidy and free from rubbish, including bottles and glasses.
6. Whenever regulated entertainment is taking place, the internal lobbied door at the front of the premises will be kept closed (except for the purposes of access and egress) and all external windows to minimise the escape of noise. Said door will also be fitted with a self-closing arm.
7. Whenever regulated entertainment is taking place at the premises, hourly noise assessments will be undertaken to ensure that noise levels are reasonable and not affecting noise sensitive premises. Appropriate steps will be taken to reduce the level of noise where it is likely to cause disturbance to local residents. Said assessments will be written and will be produced to an authorised officer upon request and retained for 12 months.
8. Prominent notices will be displayed at each public exit requesting that customers recognise the existence of nearby residential premises and refrain from causing nuisance. The wording of such notices to be agreed with the Licensing Officer and the licence holders' representative.
9. Unless they are due to be collected, waste receptacles will be stored in the yard to the rear of the premises at all times.
10. The premises will have a written zero tolerance drugs policy. Said policy will include a provision that any persons found to be in possession of drugs will be banned from the premises.
11. An incident log to be maintained at the premises detailing any incidents at the premises or in the immediate vicinity of the premises, also detailing action taken or proposed. The log must be retained for a period of 12 months and produced to an authorised officer upon request.
12. A daily review of the incident log in relation to incidents on Sundays to Thursdays to be undertaken, by the DPS or other persons nominated in writing. The incident logs for Friday and Saturday to be reviewed by no later than the following Monday. Reviews must be recorded and retained for a period of 12 months and produced to an authorised officer upon request. Authority is given to the Licensing Manager to amend as necessary.
13. CCTV to cover the outdoor entrances and exits to the front, side and rear of the building.
14. Authorisation is given to the Licensing Manager to remove the embedded restrictions as per the Appendix B.
15. To amend the operating times from 9am to 3am on Sunday to Thursday, to 9am to 11pm. The additional hour applied to the non-standard timings across the licensable activities is extended to a terminal time of 3am.
16. A three month review will take place by the Licensing Officer from today's date to be satisfied that the conditions and licensing objectives are being met.

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 Decision Notice.

**The meeting commenced at 10.10am and finished at 13.23pm**