

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

**DATE OF MEETING: 23<sup>rd</sup> June 2021**

**PRESENT: Councillors Gill, Haworth and S Barnes**

**IN ATTENDANCE: Ms Y Ahmed, Legal Advisor  
Miss S Chadwick, Licensing Enforcement Officer  
Mr S Kaden-Smith, Applicant Director of The Railway Tavern  
Cllr J Stevens, Interested Party Representative  
Mr K Hewitt, Interested Party**

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

There were no apologies for absence.

**2. 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.

**3. DECLARATIONS OF INTEREST**

No declarations were made.

**APPLICATION FOR THE GRANT OF A NEW PREMISES LICENCE:  
RAILWAY TAVERN, 51 BURY ROAD, RAWTENSTALL, ROSSENDALE,  
BB4 6DD.**

4.1 The Applicant and Interested Parties attended the hearing with regard to the application to grant a new premises licence for The Railway Tavern, 51 Bury Road, Rawtenstall, Rossendale, BB4 6DD.

4.2 There were no representations to hear the matter in private.

4.3 The Licensing Enforcement Officer presented the report.

4.4 The Applicant presented his case.

4.5 Members asked questions of the Applicant.

4.6 The Interested Party Representative presented their case.

4.7 Members asked questions of the Interested Parties.

4.8 All parties provided clarification.

4.9 The Applicant made his final statement.

4.10 The Interested Party made their final statement.

4.11 All parties left the room whilst the committee deliberated. The Legal Advisor remained in the room.

4.12 All parties returned to the meeting.

## 5. DECISION

5.1 After giving consideration to all the written and verbal representations made by the Licensing Enforcement Officer, Applicant and Interested Parties, 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 a new premises licence.

### Resolved:

That the application for the grant of a new premises licence at: Railway Tavern, 51 Bury Road, Rawtenstall, Rossendale, BB4 6DD be granted subject to changes to the proposed timings of the licensable activities and subject to any mandatory conditions, also additional conditions which we consider necessary for the promotion of one or more of the licensing objectives. Changes to the proposed timings of the licensable activities (*timings in bold represent the changes made*):

- **Live Music (Indoors)**
- Between 1100 hours and **2300** hours Friday and Saturday
  
- **Recorded Music (Indoors)**
- Between 1100 hours and **2300** hours Sunday to Thursday
- Between 1100 hours and **midnight** Fridays and Saturdays
  
- **Performance of Dance (Indoors)**
- Between 1100 hours and **2300** hours Sunday to Thursday
- Between 1100 hours and **midnight** Fridays and Saturdays

The additional conditions were as follows:

- Staff to regularly monitor all the access points open to air, to control noise levels and anti-social behaviour.
- Staff at the premises will ensure that the area in the immediate vicinity of the premises is clean, tidy and free from rubbish to a reasonable standard.
- Notices to be displayed in a prominent position at all entrance and exit points. The wording of the notices must ask customers to respect neighbours and other properties in the vicinity and must ask customers to not cause noise nuisance. Authority is given to the Licensing Officer to agree the wording to meet this condition.
- Authority is given to the Licensing Officer to amend any of the wording of the conditions to see fit and necessary.

To modify the conditions of the licence as follows (**text in bold represents the changes made**):

- CCTV footage must be made available to Lancashire Constabulary or an Authorised Officer of RBC and must be provided within **48 hours** of a request being made.
- The refusal log must be available on request **immediately** by the Police or an authorised officer of RBC.
- Bottle bins shall not be removed for emptying or be emptied on any day **between 9pm to 10am the following day.**
- The patio/beer garden area may only be used between 1100 hours and 2100 hours **on any day and no live or recorded music to be played directly in that area on any day.**

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

- *Prevention of Public Nuisance*
- *Protection of Public Safety*
- *Prevention of Crime and Disorder*

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 10.00am and finished at 12.30pm.**