

<b>Report of:</b>	Public Protection Manager	<b>Licence Type:</b>	Premises Licence
<b>Report to:</b>	Licensing Committee	<b>Date:</b>	26 <sup>th</sup> April 2022
<b>Contact Officer:</b>	Susan Chadwick	<b>Telephone:</b>	01706 238 648
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## PREMISES DETAILS

<b>Name:</b>	The Roebuck
<b>Address:</b>	Burnley Road East, Waterfoot, Rossendale, BB4 9JR
<b>Ward:</b>	Whitewell
<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 August 2005 with that licence coming into force on 24 <sup>th</sup> November 2005 following the application to convert the existing Justice's Licence.
4.2	In March 2006, an application to vary the premises licence was received and this was granted on 11 <sup>th</sup> April 2006.
4.3	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 Ms Marie Burke and the licence is appended at <u><a href="#">Appendix A</a></u> .
4.4	Ms Marie Burke has held the premises licence and been named on the licence as the designated premises supervisor (DPS) since 23 <sup>rd</sup> February 2020.

4.5	<p>The premises licence authorises the following activities:</p> <p><b><u>Live music, recorded music, performance of dance, entertainment of a similar description, films, and indoor sporting events</u></b>  Between 1100 hours and 2300 hours Monday to Sunday.</p> <p><u>Non-standard timings:</u>  Between 1100 hours and 0100 hours on Christmas Day, Good Friday and each recognised English Bank Holiday.</p> <p>On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.</p> <p><b><u>Late Night Refreshment:</u></b>  Between 2300 hours and 0100 hours Monday to Sunday.</p> <p><b><u>Sale of Alcohol (On and Off):</u></b>  Between 1100 hours and 2300 hours Sunday to Thursday  Between 1100 hours and 0200 hours Friday and Saturday.</p> <p><u>Non-standard timings:</u>  Between 1100 hours and 0100 hours on Christmas Day, Good Friday and each recognised English Bank Holiday.</p> <p>On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.</p>
4.6	<p>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>.</p>
<b>5.</b>	<b>THE APPLICATION</b>
5.1	<p>On 2<sup>nd</sup> March 2022, 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>.</p>
5.2	<p>The application is made on the grounds of the prevention of crime and disorder and the prevention of public nuisance licensing objectives.</p>
5.3	<p>In accordance with the requirements of the Act, the application was properly served upon the licence premises licence holder and all responsible authorities.</p>
5.4	<p>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 display case on the premises as well as a lighting column to the side of the business opposite the residential dwellings. The application was also advertised on the Council's website.</p>
5.3	<p>Since submission of the application for a review, the applicant has submitted further information in support of the application. This information relates to 6 video files which were served by hand delivery on the licence holder on 5<sup>th</sup> April 2022. These files are made available to the sub-committee by means of <u>Appendix D</u>.</p>
<b>6.</b>	<b>REPRESENTATIONS</b>

6.1	On 30 <sup>th</sup> March 2022 a relevant representation was received from the Chief Officer of Police and this is appended at <u>Appendix E</u> .
<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	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; <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>

## APPENDICES

Appendix A	Premises Licence
Appendix B	Premises Licence Conditions
Appendix C	Application Form for Review
Appendix D	Environmental Health Evidence – Video Files (6)
Appendix E	Representation (Chief Officer of Police)