

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

DATE OF MEETING: 26th April 2022

PRESENT: Councillors Gill (Chair), S Barnes and Woods

**IN ATTENDANCE: Ms Y Ahmed, Legal Advisor
Mr S Hussain, Legal Advisor
Miss S Chadwick, Licensing Enforcement Officer
Mrs L Robinson, Responsible Authority, Environmental
Health, Rossendale Borough Council
PC Jones, Responsible Authority, Lancashire Police
PC Needham, Responsible Authority, Lancashire Police
Ms M Burke, Licence Holder
Ms J Burke, Licence Holder's Business Partner
1 press, 1 public**

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 members of the sub-committee and council officers to introduce themselves.

3. DECLARATIONS OF INTEREST

No declarations were made.

4. APPLICATION FOR THE REVIEW OF THE PREMISES LICENCE: ROEBUCK INN, BURNLEY ROAD EAST, WATERFOOT, ROSSENDALE, BB4 9JR

4.1 The Licensee and Responsible Authorities attended the hearing with regard to the application to review a premises licence for The Roebuck Inn, Burnley Road East, Waterfoot, BB4 9JR.

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

4.3 The Licensing Enforcement Officer presented the report.

4.4 The Licensee presented their case.

4.5 Members asked questions of the Licensee.

4.6 The Responsible Authorities presented their case.

4.7 Members asked questions of the Responsible Authorities.

4.8 All parties provided clarification.

4.9 The Licensee made their final statement.

4.10 The Responsible Authorities made their final statement.

- 4.11 All parties left the room whilst the committee deliberated. The Legal Advisors 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, Licence Holder and Responsible Authorities, 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 review of the premises licence.

Resolved:

That the application for the review of the premises licence at: The Roebuck Inn, Burnley Road East, Waterfoot, Rossendale, BB4 9JR be granted subject to changes to the proposed timings of the licensable activities and subject to any mandatory conditions, also additional conditions which it was considered necessary for the promotion of one or more of the licensing objectives.

Amendments to licence

1. To amend the sale of alcohol and times of opening on Friday and Saturday from 11.00am – 02.00am to 11.00am – 12.00 midnight. The times for the licensable activities other than the sale of alcohol will remain to end at 11pm.
2. The New Year's Eve hours to be restricted to 2am New Year's Day for the sale of alcohol. Licensable activities to be restricted to 1am on New Year's Eve.
3. Licensable activities will be restricted to 12 midnight on Christmas Day, Good Friday and all recognised English Bank Holidays. Sale of alcohol will remain at 1am.

To remove the existing condition and include the following conditions of the licence as follows:

4. Whenever licensable activities (excluding sale of alcohol) are taking place on the premises from 9pm on Fridays and Saturdays, noise assessments will be undertaken hourly 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.
5. No licensable activities will take place in the rear beer garden and surrounding outside area of the premises.
6. No alcohol to be served or consumed after 9pm in the beer garden on any night.
7. Whenever licensable activities are taking place, any internal or external doors will be kept closed (except for the purposes of access and egress) and all

external windows to minimise the escape of noise. All external doors will also be fitted with self-closers.

8. The premises will have a written dispersal policy which is designed to encourage patrons to leave the premises and the area quickly and quietly. This will be kept up to date and made available to any authorised officer for inspection.
9. 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 empty alcohol containers.
10. Staff will patrol the outside area of the premises, from 9pm every hour on Fridays and Saturdays and on busy periods (bank holidays, parties) and make a log of all patrols and a log. A record will be kept and made available to all authorised officers.
11. Notices in font size 72, landscape and on A4 will be displayed at each public exit requesting that customers respect the neighbours and leave quietly.
12. 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.
13. 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.
14. A tamper proof CCTV system shall be installed, maintained and operated at the premises in liaison with and to the satisfaction of Lancashire Constabulary and shall be used to record during all hours that the premises are open to the public and at all times that customers are on the premises.
15. All public areas of the licensed premises, including all public entry and exit points, will be covered by CCTV.
16. The images recorded by the CCTV system shall be retained in unedited form for a period of not less than 31 days.
17. If the CCTV hard drive is removed for replacement, maintenance, or any other reason, the hard drive and images recorded shall be made available to any Police Officer or authorised officer of Rossendale Borough Council for a period of 31 days.
18. When customers are waiting for taxis, they will be asked to remain inside the premises where reasonably practicable until the taxi arrives to collect them and where possible advise customers to leave quietly.
19. The premises will be cleared of all customers and members of the public after the end licensing hours.
20. Authorisation is given to the Licensing Officer to amend these conditions to be consistent with what has been agreed and the intentions.

21. A three-month inspection will take place by the Licensing Officer from the date of the decision notice to be satisfied that the conditions and licensing objectives are being met.

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 4.45pm.