

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

**DATE OF MEETING: 8<sup>th</sup> September 2022**

**PRESENT: Councillors Smith (Chair), Rigby and Neal.**

**IN ATTENDANCE: Ms Y Ahmed, Principal Legal Officer  
Mr S Hussain, Legal Officer  
Miss S Chadwick, Licensing Enforcement Officer  
Mr Jenishkumar Patel, Premises Licence Holder  
Mr Gaffar Khan, Premises Licence Holder's Solicitor  
Mr Sam McConnell, Applicant**

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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.

The Chair asked all other parties to introduce themselves.

**3. DECLARATIONS OF INTEREST**

No declarations were made.

**4. APPLICATION FOR A REVIEW OF PREMISES LICENCE AT: MACE EXPRESS, 45A BANK STREET, RAWTENSTALL, ROSSENDALE, BB4 7QN**

4.1 The Applicant attended the Hearing with regard to a review of the premises licence at Mace Express, 45A Bank Street, Rawtenstall, Rossendale, BB4 7QN.

4.2 All parties consented to a public hearing.

4.3 The Licensing Enforcement Officer presented the report.

4.4 The Hearing procedure was followed.

4.5 The applicant presented their case.

4.6 The Premises Licence Holder presented their case.

4.7 Members asked questions of the applicant and the Premises Licence Holder.

4.8 All parties provided clarification.

4.9 The applicant made closing statements.

4.10 The Premises Licence Holder made closing statement.

- 4.11 The Premises Licence Holder, the applicant and the Licensing Enforcement Officer left the room whilst the committee deliberated.
- 4.12 The Premises Licence Holder, the applicant and the Licensing Enforcement Officer returned to the meeting for the announcement of the decision.

## 5. **DECISION**

The licence is revoked in its entirety as we cannot be satisfied that to vary the licence subject to any of the steps available to this sub-committee would promote one or more of the licensing objectives, namely:-

- Prevention of Crime and Disorder

The Committee has considered paragraphs 11.27 and 11.28 of the statutory guidance issued under Section 182 of the Licensing Act. The Sub-Committee is satisfied that criminal activity has taken place at the premises through the sale and promotion of illicit tobacco. The information presented today is clear enough to show that the prevention of crime and disorder licensing objective has been undermined. We have determined that the crime prevention objective is being undermined through the premises being used to further crimes and therefore, this justifies revocation. When coming to this decision, we have considered the interests of the wider community.

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 11:45am**