

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

DATE OF MEETING: 19th January 2023

PRESENT: Councillors S Barnes (Chair), McInnes and Adshead.

**IN ATTENDANCE: Ms Y Ahmed, Principal Legal Officer
Mr S Hussain, Legal Officer
Miss S Chadwick, Licensing Officer
Maxine Jayne Ruleman, Applicant (Licence Holder)
Paul Ruleman, Business Co-owner
Bill Wadkin, Licensing Agent**

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 the Applicant to introduce themselves.

3. DECLARATIONS OF INTEREST

No declarations were made.

4. APPLICATION TO VARY A PREMISES LICENCE AT: THE MILL CAFÉ, UNIT 2, PARK MILL, HOLCOMBE ROAD, HELMSHORE, BB4 4NP.

4.1 The Applicant, Business Co-owner and their agent attended the Hearing with regard to an application to vary a premises licence at The Mill Café, Unit 2, Park Mill, Holcombe Road, Helmshore, BB4 4NP.

4.2 The Legal Advisor outlined the legal issues surrounding the hearing.

4.3 All parties consented to a public hearing.

4.4 The Licensing Officer presented the report.

4.5 The Hearing procedure was followed.

4.6 The Applicant presented the case.

4.7 Members asked questions of the Applicant.

4.8 All parties provided clarification.

4.9 The Applicant/applicants agent referred to their opening statement as to why the application should be granted.

- 4.10 The Applicant, Business Co-owner, Agent and the Licensing Officer left the room whilst the committee deliberated.
- 4.11 The Applicant, Business Co-owner, Agent and the Licensing Officer returned to the meeting for the announcement of the decision.

5. DECISION

5.1 After giving consideration to all the written and verbal representations made today by the Licence Holder and after giving proper consideration to the Licensing Objectives, we the Sub-Committee appointed under the Licensing Act 2003 have decided to take the following action on the review of the premises licence for the premises under Section 34 of the Licensing Act 2003.

We have resolved:

The licence will be varied subject to the existing conditions laid out in the operating schedule and any mandatory conditions and additional conditions being:-

Variations to licence

1. To amend the sale of alcohol and times of opening on:-

Between 0900 hours and 2300 hours Monday to Thursday
Between 0900 hours and midnight Friday to Saturday
Between 0900 hours and 2230 hours on Sunday

2. Recorded music (indoors) to be added to the licence:-

Between 0900 hours and 2300 hours Monday to Thursday
Between 0900 hours and midnight Friday to Saturday
Between 0900 hours and 2230 hours on Sunday

Additional conditions

1. From 10pm until close, 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.
2. 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.
3. The current condition in relation to deliveries is amended to include the removal of recycling material and will read as follows:

Deliveries to the premises and waste removal (including all recyclable materials) from the site shall be undertaken between the hours of 8am to 8pm on each day so as to not cause undue disturbance to neighbouring properties.

4. Removal of waste materials (including all recyclable materials, particularly waste and recycling which is capable of producing noise, for example, glass bottles) from the premises into outdoor bins shall not take place before 8am and after 2200 hours on any day.
5. Authorisation is given to the Licensing Officer to amend these conditions to be consistent with what has been agreed and the intentions.

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 11:56am.