

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

**DATE OF MEETING: 12<sup>th</sup> August 2024**

**PRESENT: Councillors Gill (Chair), Driver and Hodgkiss**

**IN ATTENDANCE: Miss Y Ahmed, Principal Legal Officer  
Mr S Hussain, Legal Officer  
Miss S Chadwick, Public Protection Manager  
Marcus Asquith, Responsible Authority  
Michael Dermody, Responsible Authority  
Matthew Devlin, Applicant  
1 Interested Party  
1 member of the public**

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

1.1 Apologies were received from Lancashire Constabulary.

**2. CHAIRMAN'S INTRODUCTION**

2.1 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**

3.1 No declarations were made.

**4. APPLICATION FOR THE GRANT OF A NEW PREMISES LICENCE FOR NINJA COFFEE SHOP LTD, 23 DEARDENGATE, HASLINGDEN, BB4 5QN**

4.1 The hearing procedure was followed.

4.2 The Chair asked the responsible authority, applicant and interested party to introduce themselves.

4.3 All parties attended the hearing with regard to the application for the grant of a new premises licence for Ninja Coffee Shop, Haslingden.

4.4 All parties consented to a public hearing.

4.5 The Public Protection Manager presented the report.

4.6 The Licensing Authority, as a responsible authority outlined their reasons for objecting to the premises licence.

4.7 Members asked questions of the responsible authority.

4.8 Clarification was provided.

4.9 An interested party outlined their reasons for objecting to the premises licence.

4.10 Members asked questions and clarification was provided.

4.11 The applicant outlined the application and responded to the representations made by the responsible authorities and interested party.

- 4.12 Members asked questions of the applicant.
- 4.13 Clarification was provided.
- 4.14 The responsible authority, applicant, interested party, member of the public and Public Protection Manager left the room whilst the Committee deliberated.
- 4.15 The responsible authority, applicant, interested party, member of the public and Public Protection Manager 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 by the responsible authorities, interested party and applicant, 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 review of the premises licence under Section 17 of the 2003 Act.

### **Resolved:**

The Licence for the sale of retail of alcohol was granted subject to the conditions laid out in the operating schedule, the mandatory conditions and additional conditions (as identified in the report with amendments) as the Sub-Committee were satisfied that these were sufficient to promote one or more of the licensing objectives.

To clarify, the sale of alcohol for New Year's Eve and New Year's Day would be:-

- Between the hours of 0800 on New Year's Eve and 0100 hours on New Year's Day

The Sub-Committee also decided to grant the element of live music indoors in relation to New Year's Eve and New Year's Day being:-

- Live music will be played indoors between the hours of 0800 on New Year's Eve and 0100 hours on New Year's Day

Amendments to the conditions were as follows:-

- Conditions 7, 9, 10, 19 and 20, 21 and 22 be removed.
- Condition 8 to be implemented when the premises is used for licensable activity.
- Condition 17 amended to will read as follows "The premises shall have a written zero tolerance drugs policy which is enforced at all times. This policy will include search, seizure and disposal of drugs and weapons. This will include details of the recording of seizures, secure and tamper proof storage and disposal via the police. A copy of the policy must be provided to an authorised officer of Rossendale Borough Council prior to the first occasion that the premises is used for licensable activity. Such policy must be available for inspection on demand by an authorised officer of Rossendale Borough Council, the Police or authorised officers of the Security Industry Authority (SIA)."

Three new conditions were imposed, as follows:-

- Premises to be cleared of all customers half an hour after the end of sale of alcohol on all days.
- The entrance/exit door(s) shall be fitted with door-closers that are maintained in good working order to minimise noise breakout from the premises.

- Authorisation is given to the Licensing Manager to amend these conditions to be consistent with the Sub-Committee's decision and intentions and only so far as to make the condition enforceable.

5.2 A determination notice would be served on all parties in due course.

5.3 There was a right of appeal for all parties before the Magistrates' Court within 21 days of the date of service of the Determination Notice.

**The meeting concluded at 12:40pm**