

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

**DATE OF MEETING: 25<sup>th</sup> January 2007**

**PRESENT: Councillor Eaton (in the Chair)  
Councillors Sandiford and Steen**

**IN ATTENDANCE: S Bithell, Senior Solicitor (Legal Advisor)  
D Dobson, Senior Licensing Enforcement Officer  
J Cook, Committee Officer (Hearing Administrator)**

**ALSO PRESENT: The Applicant, the Applicant's representative, the  
Licence Holder, 3 Police Officers, 1 member of  
Licensing Unit Staff**

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### **1. DECLARATIONS OF INTEREST**

No declarations of interest were made at the meeting.

### **2. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE – MACE OFF LICENCE, 63-65 BURNLEY ROAD EAST, WATERFOOT**

The Chair welcomed all parties to the meeting. He introduced the Members of the Sub-Committee and Officers present.

The Chair asked all parties present to introduce themselves:

Applicant: PC Mark Driver, Lancashire Constabulary – Pennine Division  
Licensing Unit

Applicant's Representative: Mr A Horne, Licensing Legal

Licence Holder: Mr A Watts and Mrs C Watts

The Legal Advisor confirmed that no parties wished to withdraw their representations. Mr Watts made a representation to submit fresh evidence in the form of letters of recommendation, the premises' refusal register, evidence of booking training courses and staff briefing information. All Parties agreed to accept this evidence. The Applicants Representative made a representation to submit evidence in the form of a CD containing a picture of one of the test purchasers. All parties agreed to accept this information.

### **3. REPORT OF THE LICENSING ENFORCEMENT OFFICER**

The Licensing Enforcement Officer advised that all parties had been served with statutory notices prior to the hearing, and that additional copies were available for inspection if required.

The Licensing Enforcement Officer outlined the application as an application by the Police to review the premises licence and detailed the circumstances leading to the application.

#### **4. HEARING PROCESS**

At the hearing, representations were made to the sub-committee by the Applicants and their representatives and by the Premises Licence Holder in person.

#### **5. DETERMINATION**

Following representations made by all parties, the Chair asked all present to leave the room in order that they could give consideration to the application and representations made in respect thereof. The Legal Officer and the Committee Officer remained in the room.

#### **RESOLVED:**

After giving consideration to all the written and verbal representations made by the Applicant, the Premises Licence Holder and those permitted to speak by the Committee; and after giving proper consideration to the Licensing Objectives, Sub-Committee appointed under the Licensing Act 2003 have decided that:

The Licence should be suspended for a period of 42 days.

The conditions of licence will also be modified with the addition of the following condition:

1. When alcohol is exposed for sale on the premises, a Personal Licence Holder must be on the premises at all times, except in cases of emergency.

In addition the Personal Licence Holder must produce certification that they have passed the relevant training to the satisfaction of the Licensing Authority and the Police. The certification must be produced within 28 days.

These measures are considered necessary to satisfy the licensing objectives:

- Prevention of crime and disorder
- Protection of public safety
- Prevention of public nuisance
- Protection of children from Harm.

It was noted that there was a right of appeal to the Magistrates Court within 21 days of the date of the Determination.

**The meeting commenced at 6pm and closed at 7.45pm**