

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

**DATE OF MEETING: 20<sup>th</sup> June 2011**

**PRESENT: Councillor Gill (Chairman)  
Councillors Cheetham and Farrington**

**IN ATTENDANCE: Mrs C Birtwistle, (Legal Advisor)  
Mr D Dobson, Public Protection Officer (Licensing  
Officer)  
Mrs T Brzozowski, Public Protection Manager  
Mrs J Cook, Committee Officer (Hearing  
Administrator)**

**ALSO PRESENT: PC M Driver, Police Constable, Licensing Unit  
(Responsible Authority)**

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

There were no apologies for absences submitted.

**2. CHAIRMAN'S INTRODUCTION**

The Chairman welcomed all parties to the meeting and asked the members of the Sub-Committee to introduce themselves.

The Chairman asked the Responsible Authority to introduce themselves.

The Sub-Committee noted that the applicant was not present and had submitted a Regulation 8 notice to the Public Protection Unit, detailing their intention not to be present at the Hearing. The Committee determined that the Hearing would go ahead in the absence of the applicant.

**3. DECLARATIONS OF INTEREST**

No declarations of interest were made at the meeting.

**4. APPLICATION FOR A TEMPORARY EVENT NOTICE  
AT: THE PREMISES KNOWN AS TH'OWD CON CLUB, TO THE FRONT OF  
13 IRWELL TERRACE, BACUP**

It was confirmed that no parties wished to withdraw their representations.

**HEARING PROCESS**

At the Hearing, the Public Protection Officer's report was presented which outlined the temporary event notice as 'Bacup Carnival Day outside barbecue with bar serving alcohol'. The event was to be held on Sunday 26<sup>th</sup> June 2011 between the hours of 10am to 8pm. The application described the premises as 'private land currently being used as premises car park' and

would enable a supply of alcohol for consumption on and off the premises. There would be a maximum of number of 75 people present at any one time.

Representations were made to the Sub-Committee by the Responsible Authority.

The Sub-Committee asked questions of the Responsible Authority.

## **DETERMINATION**

Following the representations made by the Responsible Authority, the Public Protection Officers and representative of the Responsible Authority left the room in order for the Sub-Committee to discuss the Temporary Event Notice and the Chief Officer of Police's objection. The Legal Advisor and the Hearing Administrator remained in the room.

## **RESOLVED:**

After giving careful consideration to all the written and verbal representations made today by the Applicant and the Representative of the Chief Officer of Police and after giving proper consideration to the Licensing Objective prevention of crime and disorder the Sub-Committee appointed under the Licensing Act 2003 considered the objection raised by the Chief Officer of Police and decided the following:

That a Counter-Notice be given as it was considered necessary for the promotion of the prevention of crime and disorder objective for the following reasons:-

- The event will be impossible to monitor and supervise.
- There is no effective boundary to prevent patrons spilling out into public areas and into the alcohol control zone.
- The event will blight the carnival festivities if it were to go ahead.

## **RIGHT OF APPEAL**

The Chair advised that all parties had a right of appeal before the Magistrates' Court, however no appeal may be brought later than 5 working days before the day on which the event period specified in the temporary event notice begins.

**The meeting commenced at 10.30am and closed at 10.55am**