

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

DATE OF MEETING: 22nd August 2017

PRESENT: Councillors Smallridge (Chair), Haworth and Smith

**IN ATTENDANCE: Ms A Wrench, Legal Advisor
Mr P Morton, Licensing Manager
Mr N Howson, Licensing Enforcement Officer
Miss G Ashton, Hearing Administrator
Mrs J Wood, Hearing Administrator
Miss S Chadwick, Applicant for the Responsible Authority
Mr J Haque, Licence Holder
Mr S Haque, attending with Licence Holder to interpret**

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 Licence Holder and the party attending with the Licence Holder to introduce themselves.

3. DECLARATIONS OF INTEREST

No declarations were made.

**4. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE
AT: SPICE MASTER, 4 BURNLEY ROAD, RAWTENSTALL, BB4 8EN**

4.1 The Licence Holder attended the Hearing with regard to an application by the Responsible Authority to review the premises licence for Spice Master, 4 Burnley Road, Rawtenstall, BB4 8EN.

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 Enforcement Officer presented his report.

4.5 The Hearing procedure was followed.

4.6 The Applicant for the Responsible Authority presented her case.

4.7 The Licence Holder through his interpreter presented his case.

- 4.8 Members asked questions of the Licence Holder through his interpreter and the Applicant for the Responsible Authority.
- 4.9 All parties provided clarification.
- 4.10 The Applicant for the Responsible Authority made her final statement as to why the premises licence should be reviewed.
- 4.11 The Licence Holder through his interpreter made his final statement.
- 4.12 The Licence Holder, his interpreter, the Applicant for the Responsible Authority and the Licensing Officers left the room whilst the committee deliberated.
- 4.13 The Licence Holder, his interpreter, the Applicant for the Responsible Authority and the Licensing Officers 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 Licensing Officer, Applicant for the Responsible Authority and Licence Holder 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 for the premises under Section 52(4) of the 2003 Act.

Resolved:

To revoke the premises licence at Spice Master, 4 Burnley Road, Rawtenstall because on 10th May 2017 the premises failed an Immigration Enforcement visit. An individual was arrested for overstaying on his visa in breach of the Immigration Act 1971.

This decision was made because the committee were satisfied that these measures were necessary to satisfy the following licensing objectives:

- *Prevention of Crime and Disorder*
- *Public Safety*

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 10.10am and finished at 11.30am