

Minutes of Licensing Sub-Committee

Meeting Date: Monday, 23 November 2015, starting at 10am
Present: Councillor S Brunskill (Chairman)

Councillors:

S Hind
S Atkinson

In attendance: Head of Legal and Democratic Services, Solicitor, Administration and Licensing (Alcohol & Entertainment) Officer, Electoral and Licensing Officer, Kristan Jane Dewell, John Foley, Kate Lawson, Richard Matthews, Nigel Bunyan, Chris Myerscough, Roger Park, Graham MacMillan, Nicholas Hellewell, Joel Hames-Clarke, George Brookes, Alan Clements, John Pickup, Joan Pickup, Christine Walmsley, Jason Walker, Sajjad Hussain.

AUTISAN CAFÉ, WHALLEY ABBEY, THE SANDS, WHALLEY

Committee considered a report submitted by the Head of Legal and Democratic Services on the determination of an application required under Section 18 of the Licensing Act 2003. The Applicant had made an application for a premises licence to be granted for the Autisan Café, The National Autistic Society, based at Whalley Abbey. The hours applied for were from 1000 hours to 1500 hours Monday to Thursday and 1000 hours to 1700 hours on Sunday and 1000 hours to midnight Friday to Saturday.

The Applicant informed the Committee that events in the café would be held to support families with Autism and that the sale of alcohol was to accompany food not as a bar and would not be open to the public in the evening but only for private parties.

Three representations had been received and were attached to the report for Committee's information. None of the individuals who had made representations attended the hearing.

RESOLVED: That the application be granted as applied for. The Sub-Committee decision is available at
https://www.ribblevalley.gov.uk/download/downloads/id/10457/autisan_cafe_whalley

THE GARDEN KITCHEN, HOLDEN CLOUGH NURSERY, HOLDEN

Committee considered a report submitted by the Head of Legal and Democratic Services on the determination of an application required under Section 35 of the Licensing Act 2003. The applicant had made an application to vary the premises licence under Section 34 of the Licensing Act 2003 to extend the hours for recorded music, live music and the sale of alcohol to midnight on every night.

The Applicant reported that they had had events in the evenings under Temporary Event Notices and that now they wanted to include these events within the licence, however the premises would not be open as a public house but on a pre-booked basis. They had no intention of running a public house. He recognised that there was a need for the planning permissions to be applied for. He also reported that there was a continuing need to diversify in order to keep his business viable.

There had been 23 relevant representations made which were included with the agenda papers. The individuals who had made representations and who were present at the hearing were given the opportunity to make verbal representations. These included concerns about the increase in noise to a late hour; public safety; the increase in traffic; a possible change in visitor profile; the premises being transformed into a party venue rather than a plant nursery/tearoom; that is was out of keeping with the peaceful hamlet. It was felt there was a lot of goodwill from the villagers towards this nursery/café but that any extensions to the licence would have a major detrimental effect on the neighbours in the village.

The Applicant reassured Committee that the variation to the licence was only to accommodate parties on a pre-booked basis and acknowledged that if the licence was varied that a planning application would also need to be submitted as the current conditions restricted the use.

RESOLVED: The Sub-Committee resolved to grant the application with reduced hours from those applied for and to incorporate additional conditions on the licence. The Sub-Committee decision is available at https://www.ribblevalley.gov.uk/download/downloads/id/10458/the_garden_kitchen_holden_clough_nursery

EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That by virtue of the fact that the following items of business by exempt information under Category 1 of Schedule 12A of the Local Government Act 1972, the press and public be now excluded from the meeting.

TAXI INFRINGEMENT SCHEME

Committee considered a report submitted by the Head of Legal and Democratic Services to determine an appropriate use of sanctions available under the Local Government (Miscellaneous Provisions) Act 1976 against a hackney carriage and private hire driver in consequence of infringement points accrued under the Council's Infringement Scheme. The Council adopted its Infringement Scheme, the purpose of which was to sanction behaviour by drivers, operators or vehicles proprietors which contravenes the primary legislation or the Council's terms and conditions of licence but which could not properly be made the subject of a criminal sanction. The Council set a limit of 12 infringement points for hackney carriage/private hire drivers.

The driver in question held both hackney carriage and private hire drivers licences and had accrued a total of 20 points under the Council's Infringement

Scheme. Copies of the infringement notices were included for Committee's information.

Both the driver and his representative were given the opportunity to make representations and outline any extenuating circumstances they felt appropriate.

RESOLVED: The driver's private hire and hackney carriage licence be suspended for 3 months.

The meeting closed at 11.20am.