



Ribble Valley
Borough Council
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SECTION 35 LICENSING ACT 2003
NOTICE OF DETERMINATION IN RESPECT OF A HEARING
WHICH TOOK PLACE ON THURSDAY 10 DECEMBER 2014
TO DETERMINE AN APPLICATION BY MARGARET HUGHES
FOR THE VARIATION OF A PREMISES LICENCE IN RESPECT OF
BRADY'S, QUEEN STREET, WHALLEY, BB7 9TA.

The Licensing Sub-Committee met on 10 December 2014. The Sub-Committee comprised the following members:

Councillor M Thomas - Chair
Councillor G Scott
Councillor I Brown

Also in attendance:

Solicitor
Licensing Officer
Committee Clerk
Mrs G Sherratt (Applicant's representative)
Ms M Hughes (Applicant)
Mr S Leech (Applicant's business partner)
Councillor T Hill
Councillor J Holgate
Mrs L Luckin
Mr J Smith (Whalley Parish Councillor)

The Sub-Committee met to consider the application of Margaret Hughes to vary the premises licence in the following respects:

- to amend the plan of the premises;
- to increase the opening hours of the premises;
- to increase the hours for the supply of alcohol;
- to increase the hours for indoor sporting events;
- to increase the hours for live music;
- to increase the hours for the provision of recorded music;
- to include the provision of films as a licensable activity;
- to include the provision of the performance of dance as a licensable activity;
- to include the provision of anything of a similar description to live music, recorded music or performance of dance as a licensable activity; and
- to remove all annex 2 conditions from the licence.

The Sub-Committee considered the contents of the report of the Chief Executive dated 10 December 2014 and its appendices ("**Report**") and subsequent documentation received from the Applicant.

Mrs Sherratt made verbal representations to the Sub-Committee. She explained the background to the application; the proposals for the premises and the measures, which the Applicant had put in place and would put in place once the premises opened to alleviate the concerns, expressed in the representations made. She also explained the background of the Applicant and her partner and how this would be beneficial in their running of responsible premises. It was also noted that there were not any representations from any of the Responsible Authorities.

Representations were heard verbally from Councillor T Hill, Councillor J Holgate, Mr J Smith and Mrs L Luckin on her own behalf and also on behalf of Mrs W Clarkson who was unable to attend the hearing. Concerns were raised about the noise, which would emanate from the premises and from those entering and leaving the premises along with those smoking outside the premises. There were also concerns expressed about the issues surrounding parking and access to the premises.

Mrs Sherratt, the Applicant and Mr Leech responded to the concerns. Mrs Sherratt indicated that the Applicant would be prepared to withdraw her application for the supply of alcohol from 9am but wanted to open from 9am to serve coffees and breakfast. Moreover, it was the Friday evening hours which were most important to them so that these were the same as Saturday evening and therefore they would be prepared to withdraw the application for the extension to the hours for Monday to Thursday. She also indicated that in order to allay some of the concerns surrounding the noise which may occur from people smoking outside the premises, the Applicant would not object to a condition that the premises have a policy in place that no drinks be taken outside, that this be reinforced by signage on the premises and that the staff monitor the outside areas of the premises hourly.

The Licensing Sub-Committee gave careful consideration to the representations made by all parties, both verbal and written. The Sub-Committee also considered the requirements of the Licensing Act 2003, the licensing objectives, the relevant regulations, the Human Rights Act and the Council's licensing policy.

Having considered all of the above the Sub-Committee resolved to grant the application as applied for (including deleting the conditions at Annex 2 of the premises licence and replacing these with the conditions set out in section 16 of the application) incorporating the concessions offered by the Applicant at the hearing so that the hours as set out in the premise licence will be as follows:

Supply of alcohol:	
Sun	11.00-23.00
Mon	11.00-00.00
Tues	11.00-00.00
Wed	11.00-00.00
Thurs	11.00-00.00
Fri	11.00-01.30
Sat	11.00-01.30
Bank Holidays Bank Holiday weekends (Fri/Sat/Sun) Christmas Eve Boxing Day New Year's Eve/Day	Christmas Eve 09.00-02.00 From the start of permitted hours on New Year's Eve to 02.00 on New Year's Day
Opening hours of premises:	
Sun	09.00-23.00
Mon	09.00-00.30
Tues	09.00-00.30
Wed	09.00-00.30

Thurs	09.00-00.30
Fri	09.00-01.30
Sat	09.00-01.30
Bank Holidays Bank Holiday weekends (Fri/Sat/Sun) Christmas Eve Boxing Day New Year's Eve/Day	Christmas Eve 09.00 to 02.00 From the start of permitted hours on New Year's Eve to 02.00 on New year's Day
Provision of Films:	
Sun	09.00-23.00
Mon	09.00-00.30
Tues	09.00-00.30
Wed	09.00-00.30
Thurs	09.00-00.30
Fri	09.00-01.30
Sat	09.00-01.30
Bank Holidays Bank Holiday weekends (Fri/Sat/Sun) Christmas Eve Boxing Day New Year's Eve/Day	Christmas Eve 09.00 to 02.00 From the start of permitted hours on New Year's Eve to 02.00 on New year's Day
Indoor Sporting Events:	
Sun	09.00-23.00
Mon	09.00-00.30
Tues	09.00-00.30
Wed	09.00-00.30
Thurs	09.00-00.30
Fri	09.00-01.30
Sat	09.00-01.30
Bank Holidays Bank Holiday weekends (Fri/Sat/Sun) Christmas Eve Boxing Day New Year's Eve/Day	Christmas Eve 09.00 to 02.00 From the start of permitted hours on New Year's Eve to 02.00 on New year's Day
Live Music:	
Sun	09.00-23.00
Mon	09.00-00.30
Tues	09.00-00.30
Wed	09.00-00.30
Thurs	09.00-00.30
Fri	09.00-01.30
Sat	09.00-01.30
Bank Holidays Bank Holiday weekends (Fri/Sat/Sun) Christmas Eve Boxing Day New Year's Eve/Day	Christmas Eve 09.00 to 02.00 From the start of permitted hours on New Year's Eve to 02.00 on New year's Day
Provision of recorded music:	
Sun	09.00-23.00
Mon	09.00-00.30
Tues	09.00-00.30

Wed	09.00-00.30
Thurs	09.00-00.30
Fri	09.00-01.30
Sat	09.00-01.30
Bank Holidays Bank Holiday weekends (Fri/Sat/Sun) Christmas Eve Boxing Day New Year's Eve/Day	Christmas Eve 09.00 to 02.00 From the start of permitted hours on New Year's Eve to 02.00 on New year's Day
Provision of the performance of dance:	
Sun	09.00-23.00
Mon	09.00-00.30
Tues	09.00-00.30
Wed	09.00-00.30
Thurs	09.00-00.30
Fri	09.00-01.30
Sat	09.00-01.30
Bank Holidays Bank Holiday weekends (Fri/Sat/Sun) Christmas Eve Boxing Day New Year's Eve/Day	Christmas Eve 09.00 to 02.00 From the start of permitted hours on New Year's Eve to 02.00 on New year's Day
Provision of anything of a similar description to live music, recorded music or performances of dance:	
Sun	09.00-23.00
Mon	09.00-00.30
Tues	09.00-00.30
Wed	09.00-00.30
Thurs	09.00-00.30
Fri	09.00-01.30
Sat	09.00-01.30
Bank Holidays Bank Holiday weekends (Fri/Sat/Sun) Christmas Eve Boxing Day New Year's Eve/Day	Christmas Eve 09.00 to 02.00 From the start of permitted hours on New Year's Eve to 02.00 on New year's Day
Provision of late night refreshment:	
Sun	-
Mon	23.00-00.30
Tues	23.00-00.30
Wed	23.00-00.30
Thurs	23.00-00.30
Fri	23.00-01.30
Sat	23.00-01.30
Bank Holidays Bank Holiday weekends (Fri/Sat/Sun) Christmas Eve Boxing Day New Year's Eve/Day	Christmas Eve 09.00 to 02.00 From the start of permitted hours on New Year's Eve to 02.00 on New year's Day

The following conditions shall also be included within Annex 3 of the Premises Licence:

1. The Premises Licence holder shall ensure that a policy is in place for the premises, which prohibits customers from taking any drinks (whether alcoholic or otherwise) outside of the premises.
2. Notices shall be placed in a prominent position near to the exit of the premises informing the public of the policy required by condition 1.
3. The Premises Licence holder shall ensure that compliance with condition 1 is monitored by persons employed at the premises on at least an hourly basis.