



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 WEDNESDAY 15 APRIL 2015
TO DETERMINE AN APPLICATION BY LOWER BUCK LIMITED
FOR THE VARIATION OF A PREMISES LICENCE IN RESPECT OF
THE LOWER BUCK, CHURCH ROAD, WADDINGTON, CLITHEROE, BB7 3HU.

The Licensing Sub-Committee met on 15 April 2015. The Sub-Committee comprised the following members:

Councillor J Alcock - Chair
Councillor J Holgate
Councillor M Thomas

Also in attendance:

Solicitor
Licensing Officer
Committee Clerk
Mr M Ireland (Applicant's representative)
Mr A Warburton (Shareholder of Applicant)
Mrs D Taylor
Mr P Lazlo

The Sub-Committee met to consider the application of Lower Buck Limited to vary the premises licence in the following respects:

- to increase the opening hours of the premises;
- to increase the hours for the supply of alcohol;
- to increase the hours for live music;
- to add the provision of recorded music; and
- to remove various outdated conditions from the licence.
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The Sub-Committee considered the contents of the report of the Head of Legal and Democratic Services dated 15 April 2015 and its appendices ("**Report**") and subsequent documentation received from the Applicant.

Mr Ireland made verbal representations to the Sub-Committee. He explained the background to the application; the results of a meeting which had taken place on 2 April 2015 between the Applicant and those making representations and concessions which the Applicant had proposed to alleviate the concerns which residents had expressed. He also explained the background of the two shareholders of the Applicant and the fact that they were well known locally as reputable operators. It was also noted that there were not any representations from any of the Responsible Authorities.

Mr Ireland also clarified that the references in his letter dated 9 April 2015 to “week days” should be read as Sunday-Thursday, and that it was intended that the opening hours of the premises would be 30 minutes later than the respective times for supply of alcohol rather than those set out in the application.

Representations were invited from Mrs Taylor and Mr Lazlo. Mrs Taylor indicated that having heard Mr Ireland’s representations she did not have anything further to add. Mr Lazlo made reference to the extraction fans in the kitchen following enquiry from Councillor Holgate. It was however noted that any conditions relating to these were not on the licence, it did not relate to a licensable activity and that the application did not affect the hours of food preparation.

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 and the Council's licensing policy.

Having considered all of the above the Sub-Committee resolved to grant the application as applied for but incorporating the concessions offered by the Applicant in the letter dated 9 April 2015 and as clarified by Mr Ireland at the hearing, so that the hours as set out in the premise licence will be as follows:

Supply of alcohol:	
Sun	11.00-00.00
Mon	11.00-00.00
Tues	11.00-00.00
Wed	11.00-00.00
Thurs	11.00-00.00
Fri	11.00-00.30
Sat	11.00-00.30
New Year’s Eve	From the end of permitted hours on New Year’s Eve to the start of permitted hours on the following day.
Opening hours of premises:	
Sun	11.00-00.30
Mon	11.00-00.30
Tues	11.00-00.30
Wed	11.00-00.30
Thurs	11.00-00.30
Fri	11.00-01.00
Sat	11.00-01.00
New Year’s Eve/Day	From the end of permitted hours on New Year’s Eve to the start of permitted hours on the following day.
Live Music:	
Sun	11.00-23.00
Mon	11.00-23.00
Tues	11.00-23.00
Wed	11.00-23.00
Thurs	11.00-23.00
Fri	11.00-00.00
Sat	11.00-00.00
New Year’s Eve/Day	From the end of permitted

	hours on New Year's Eve to start of permitted hours the following day.
Provision of recorded music:	
Sun	11.00-23.00
Mon	11.00-23.00
Tues	11.00-23.00
Wed	11.00-23.00
Thurs	11.00-23.00
Fri	11.00-00.00
Sat	11.00-00.00
New Year's Eve	From the end of permitted hours on New Year's Eve to the start of permitted hours the following day.

In addition, the condition which currently appears on the premises licence providing that "a heat sensed light is positioned over the main entrance door and also on the car park for customer safety when exiting the premises" shall be removed.

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

1. The Premises shall have an agreement with a local taxi company, whose contact details will be promoted at the premises to the effect that horns will not be sounded to indicate arrival at the premises.