



SECTION 18 LICENSING ACT 2003
NOTICE OF DETERMINATION IN RESPECT OF A HEARING
WHICH TOOK PLACE ON TUESDAY 6 OCTOBER 2020
TO DETERMINE AN APPLICATION BY DMD DESIGN (LONGRIDGE) LIMITED
FOR A PREMISES LICENCE IN RESPECT OF 1 LOWER LANE, LONGRIDGE, PR3 3SL.

The Licensing Sub-Committee met on 6 October 2020. The Sub-Committee comprised the following members:

Councillor G Mirfin - Chair
Councillor M Robinson
Councillor D Berryman

Also in attendance:

Solicitor (RVBC)
Administration and Licensing (Alcohol & Entertainment) Officer (RVBC)
Ms D M Despard (applicant)
Mrs G Sherratt (applicant's representative)
M Johnson (relevant representation)
Y Johnson (relevant representation)
H Knight (relevant representation)
D Walmsley (relevant representation)
D Langley (relevant representation)
H Lavelle (relevant representation)
G Kelsall (relevant representation)

The Sub-Committee met to consider the application of DMD Design (Longridge) Limited for a premises licence in respect of 1 Lower Lane, Longridge, PR3 3SL ("the premises")

The Sub-Committee considered the contents of the report of the Head of Legal and Democratic Services dated 28 September 2020 and its appendices ("**Report**").

Mrs Sherratt made verbal representations to the Sub-Committee and responded to points and questions put by the sub-committee and by attendees who had made relevant representations. She explained the history of the premises as a retail unit over many years. She explained the ways in which the current application differed from an earlier application in respect of the same premises which had been made in 2019. The new proposed hours, which were reduced considerably from those proposed in the previous application, were outlined to the sub-committee.

She explained the trading model for the business, which sought to attract high end customers to visit the premises for items for their homes, and who would take some time to browse and decide on their potential purchases with alcohol or other refreshment being made available as part of the experience. Planning permission had been granted for retail and residential use of the premises,

and the applicant was aware that an application for permission for change of use to a drinking establishment would be required if the sale of alcohol were to become the predominant use. The planning permission stipulated use of the premises for the approved commercial purposes should be restricted to the same closing hours as specified in the current application.

She explained the successful operation of the business using Temporary Event Notices over recent months and sought to address relevant concerns which had been expressed by those who had made written representations, giving explanations where appropriate and expressing the applicant's apologies for an error in judgement. The applicant did not consider that the clientele anticipated would behave in such a manner as to undermine the Licensing Objectives. No representations had been received from any responsible authority.

An offer was submitted that a condition would be accepted that no customers should drink outside the premises except when seated at a table with four chairs at the front of the premises.

Verbal representations were made by way of objection to the application by a number of residents, including Mr Johnson, Mrs Knight, Mrs Walmsley and Mr Langley. Whilst the residents largely supported the business model as presented, concern was expressed that it was not in an appropriate location. Concern also arose as a result of signage displayed at the premises on the first date upon which a Temporary Event Notice had been given. Residents were particularly concerned about the possibility that there would be an element of creeping change to the activity at the premises from that which was contemplated in the application.

Verbal representations in support of the application were made by Ms Lavelle and Mr Kelsall.

The Licensing Sub-Committee gave careful consideration to the representations made by all parties, both written and verbal. The Sub-Committee also considered the Licensing Act 2003 ("the Act"), the guidance issued under the Act, the Licensing Objectives, the relevant regulations and the Ribble Valley Borough Council Licensing Policy.

Having considered all of the above, the Sub-Committee resolved to grant the application as applied for including the proposed condition, extended to reflect support for the public safety licensing objective. The hours set out in the premises licence will be as follows.

Supply of alcohol for consumption ON AND OFF the premises:

Mon	1000hrs-2000hrs
Tues	1000hrs-2000hrs
Wed	1000hrs-2000hrs
Thurs	1000hrs-2000hrs
Fri	1000hrs-2000hrs
Sat	1000hrs-2000hrs
Sun	1000hrs-1700hrs

Opening hours of premises:

Mon	1000hrs-2000hrs
Tues	1000hrs-2000hrs
Wed	1000hrs-2000hrs
Thurs	1000hrs-2000hrs
Fri	1000hrs-2000hrs
Sat	1000hrs-2000hrs
Sun	1000hrs-1700hrs

Having considered all matters, including in particular the applicant's primary duties to comply with other legislation including but not limited to the Regulatory Reform (Fire Safety) Order 2005 (as amended), the Sub-Committee determined that the following condition shall be included within Annex 2 of the Premises Licence.

"Customers shall only be allowed to consume alcohol outdoors on the premises when seated at the table located at the front of the premises. At no time shall there be more than four chairs at that table. The table and chairs shall be located in such a position as not to obstruct the exit from the premises".