

LICENSING & GAMBLING SUB-COMMITTEE HELD: Wednesday, 9 September 2020

Start: 10.30 am

Finish: 2.20 pm

PRESENT:

Councillor: N Delaney (Chairman)

Councillors: T Devine (Vice Chairman) J Mee

In attendance:

Officers: Kay Lovelady, Principal Solicitor
Andrew Smith, Legal Assistant
Michaela Murray, Senior Licensing Officer
Kirsty Breakell, Member Services / Civic Officer
Jill Ryan, Senior Member Services Officer

Also in attendance: Cllr E Pope, Ward Councillor
Matthew Parsons, Applicant
Charles Holland, Counsel to Applicant
Chris Grunert, Solicitor to Applicant
Pete Rogers, Sound Expert for Applicant
William Cooke, Opposition Representative
Linda Lea – Opposition Representative

1 **APOLOGIES**

There were no apologies received.

2 **MEMBERSHIP OF THE COMMITTEE**

There were no changes to the Membership of the Committee.

3 **URGENT BUSINESS**

There were no urgent items of business.

4 **DECLARATIONS OF PARTY WHIP**

There were no declarations of Party Whip.

5 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

6 **MINUTES**

RESOLVED: That the minutes of the meeting held on 18 November 2019, be noted.

7 LICENSING HEARING PROCEDURE

The Principal Solicitor briefed everyone on the hybrid hearing procedure.

8 APPLICATION FOR PREMISES LICENCE IN RESPECT OF EDEN TEA ROOM AND GALLERIES, COURSE LANE, NEWBURGH WN8 7UB

The Council's Licensing Sub-Committee (the Sub-Committee) considered an application for a new Premises Licence from Mr Matthew Parsons (the Applicant) submitted under Section 17 of the Licensing Act 2003 (the 2003 Act). This application was in respect of Eden Tea Rooms and Galleries, Course Lane, Newburgh WN8 7UB.

RESOLVED: The timings be granted as follows:

- A. That the premises shall be open to the public:
 - Sunday to Thursday 08.00 to 23.00 hours
 - Friday and Saturday 08.00 to 23.00 unless there is a pre-arranged function when the terminal hour will be 01.00

- B. That the sale/supply of alcohol shall be permitted on and off the premises:-
 - Sunday to Thursday 08.00 to 23.00 hours
 - Friday and Saturday 08.00 to 23.00 unless there is a pre-arranged function when the terminal hour will be 01.00

- C. That the provision of live music and recorded music indoors only shall be permitted:-
 - Friday and Saturday 23.00 to 01.00 only when a pre-booked private function takes place within the premises.

- D. Provision of late night refreshment
 - Friday and Saturday 23.00 to 01.00 only when a pre-booked private function takes place within the premises

Conditions

- E. That the operating hours for all licensable activities approved between 23.00 and 01.00 hours on Fridays and Saturdays shall be for the exclusive use of pre-booked private functions only and shall not be open to members of the public. The premises shall maintain a bookings diary or other similar system which should be kept on the

premises and made available for inspection by any Responsible Authority upon request.

- F. Prior to any licensable activities taking place at the premises the Premises Licence Holder shall comply with the following:
1. Submit and have approved a Noise Management Plan to West Lancashire Borough Council's Environmental Protection Department ;
 2. Once approved the plan must be implemented operationally;
 3. The requirements contained in the approved plan shall be adhered to whenever licensable activities are taking place as if they were set out as separate conditions on the premises licence;
 4. Where the noise management plan is varied in the future a new noise management plan setting out the variations must be submitted and approved by West Lancashire Borough Council Environmental Protection Department before any changes to the plan are implemented.
 5. A copy of any approved Noise Management Plan and any further versions, shall be submitted to the Licensing Authority and Lancashire Constabulary within 7 days of approval.

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Chairman