

LICENSING SUB-COMMITTEE

HELD: Tuesday, 19 July 2016

Start: 10.30 am

Finish: 2.35 pm

PRESENT:

Councillor: Delany (Chairman)

Devine
Kay

In attendance: Mr R Allison (Applicant)
Members of the public (objectors)
Councillor Cotterill (Ward Member Bickerstaffe)

Officers: Principal Solicitor (Mrs K Lovelady)
Senior Licensing Officer (Mrs S Jordan)
Member Services/Civic Support Officer (Mrs J Brown)

1 **APOLOGIES**

There were no apologies for absence received.

2 **MEMBERSHIP OF THE COMMITTEE**

There were no changes to Membership of the Committee.

3 **URGENT BUSINESS, IF ANY, INTRODUCED BY THE CHAIRMAN**

There were no items of urgent business.

4 **DECLARATION 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 4 March 2016 be received as a correct record and signed by the Chairman.

7 **LICENSING HEARING PROCEDURE**

The Chairman outlined the Licensing Procedure.

8 **APPLICATION FOR A PREMISES LICENCE IN RESPECT OF WARBRECK GARDEN CENTRE, LYELAKE LANE, LATHOM, ORMSKIRK, L40 6JW**

Consideration was given to the report of the Director of Leisure and Wellbeing as circulated and contained on pages 7 to 54 of the Book of Reports in respect of an application under the Licensing Act 2003 for a Premises Licence in respect of Warbreck Garden Centre, Lyelake Lane, lathom, Ormskirk, L40 6JW.

In considering the matter the Sub – Committee had regard to its Licensing Policy and the guidance issued under S. 182 of the Licensing Act. It considered the relevant Licensing Objectives.

The Applicant had previously offered forward conditions and amended timings following discussions with the Senior Environmental Health Officer. Following the conclusion of the evidence the Applicant notified the Sub Committee that he wanted to reduce the operational hours and the time the outside space would be used. The conditions offered by the Applicant have been reviewed by the Committee and additional conditions added in order to maintain the four licensing objectives. As the intention of the Applicant was for licensable activities to cease at 23.00 hours, the application in respect of Late Night Refreshment has not been included.

RESOLVED : The timings be granted as follows:

- A. That the premises shall be open to the public:
Monday to Sunday 09.00 to 23.30 hours.
- B. That the sale/supply of alcohol shall be permitted on and off the premises:-
Monday to Sunday 09.00 to 23.00 hours.
- C. That the provision of live music and recorded music shall be permitted:-
Sunday to Monday 09.00 hours to 23.00 hours
- Conditions
- D. That noise from music and associated sources (including D.J's and amplified voices) shall not be clearly audible at the boundary of any residential premises sharing a boundary with the Premises, at any time regulated entertainment is taking place.
- E The Sale and Supply of Alcohol and all regulated entertainment being undertaken outside the premises shall

cease after 20.00 hours.

- F That after 20.00 hours each day, customers will not be permitted to congregate in the outside seating area at any time other than for the purposes of smoking and this will be subject to regular checks by the management to ensure any persons smoking are not causing a disturbance to residents.

- G. That all external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency or to allow access or egress.

- H. That the placing of refuse, such as bottles, into receptacles outside the premises shall not take place between 22.00 hours and 08.00 hours on any day so as to prevent disturbance to nearby premises.

- I. That the Licensee shall ensure that staff arriving early morning or departing late at night when the business has ceased trading conduct themselves in such a manner to avoid disturbance to nearby residents.

- J. Signage will be displayed asking customers to respect the needs of the local residents by leaving in a quiet and orderly manner.

- K. Customers waiting for taxis will be asked to remain inside the premises after 20.00 hours until the taxis arrive.

This is the decision of the Licensing Sub – Committee.

The Sub – Committee recommend that a residents meeting takes place to address any issues every six months.

- CHAIRMAN -

LICENSING SUB-COMMITTEE

HELD: Tuesday, 19 July 2016