

## LICENSING SUB-COMMITTEE

**HELD: Tuesday, 6 June 2017**

Start: 11.03am

Finish: 2.45pm

**PRESENT:** Councillor Delaney (Chairman)

Councillors J Kay M Mills

Officers: Principal Solicitor (Mrs K Lovelady)  
Senior Licensing Officer (Mrs M Murray)  
Environmental Protection and Community Safety Manager  
(Mr A Hill)  
Principal Environmental Health Officer (Ms J Antrobus)  
Senior Environmental Health Officer (Mr C Carpenter)  
Senior Environmental Health Officer (Ms G Perkins)  
Member Services/Civic Support Officer (Mrs J Brown)

In attendance: Premises Licence Holder (Mr S Patel)  
Premises Licence Holder (Mr D Kenyon)  
Poppleston Allen Solicitors (Mr J Smith)  
DPS (Mr D Webster)  
Members of public (against the Review Application)

### 1 **APOLOGIES**

There were no apologies for absence received.

(Note: The Licensing Sub – Committee and attendees observed one minutes silence in respect of the recent London attack that occurred at the weekend).

### 2 **MEMBERSHIP OF THE COMMITTEE**

In accordance with Council Procedure Rule 4, the Sub Committee noted the termination of membership of Councillor Devine, and the appointment of Councillor Mills for this meeting only, thereby giving effect to the wishes of the political groups.

### 3 **URGENT BUSINESS**

There were no items of urgent business.

### 4 **DECLARATIONS OF PARTY WHIP**

There were no declarations of Party Whip.

### 5 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

### 6 **LICENSING HEARING PROCEDURE**

The Chairman referred to the Licensing Hearing Procedure.

7 **APPLICATION FOR THE REVIEW OF A PREMISES LICENCE IN RESPECT OF JYNX, WITHAM ROAD, SKELMERSDALE, WN8 8HP**

Consideration was given to the report of the Director of Leisure and Wellbeing as contained on pages 63 to 147 of the Book of Reports in respect of an Application for the review of a Premises License in respect of Jynx, Witham Road, Skelmersdale, WN8 8HP.

In considering this matter the Sub – Committee had regard to the Licensing Act 2003, its Licensing Policy and the guidance issued under S 182 of the Licensing Act. It considered the relevant Licensing Objectives on this occasion was the 'Prevention of Public Nuisance'.

On hearing evidence from the Premises Licence Holders, Environmental Health Services, supporters and objectors the Sub Committee decided to impose the following additional conditions to the Premises Licence;

- RESOLVED:
- A. That in line with the Authority's Statement of Licensing Policy the Sub Committee has issued a yellow card warning which will remain on the licence for a period of 2 years. The decision of the Sub Committee will be displayed in a prominent position on the premises where it can be conveniently read from the exterior of the premises detailing the outcome of the review and the warning that has been given.
  - B. That the Premises Licence Holder will modify the smoking shelter to the front of the premises as soon as possible and no later than 31 October 2017, in accordance with the recommendations made in the "assessment of noise from a smoking shelter" report dated 31 May 2017, report No: 101522-3, prepared by Miller Goodall Environmental Services, and attached to the Premises Licence. The maximum number of customers permitted in the smoking shelter at any one time will be 15.
  - C. That the Premises Licence Holder will adopt and fully comply with the noise Management Plan, dated 31 May 2017, report No:101522-2. Prepared by Miller Goodall Environmental Services, and attached to the Premises Licence.

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CHAIRMAN