

Minutes of Sub-Committee of the Licensing Committee

Meeting Date: Friday, 3 February 2023, starting at 10.00 am
Present: Councillor S O'Rourke (Chair)

Councillors:

I Brown

D O'Rourke

In attendance: Solicitor, Licensing Officer and Administration Assistant (Licensing)

Also in attendance:

Everything Retreat - Mrs L Monk (Director of Everything Luxury Hamlet Limited), Mr C Monk (Director of Everything Luxury Hamlet Limited), Mr A Gregson (Director of Everything Luxury Hamlet Limited), Mr A Gregson (Representative for Everything Luxury Hamlet Limited), Mr I Thomson (relevant representative), Ms L Bell (relevant representative), Ms N Clay (relevant representative), Ms A Lucas (relevant representative)

Stanley House Marquee – Mr S Ahmed (Director of AF Events Blackburn Limited), Mr P Thompson (relevant representative), Ms K Davies (relevant representative), Ms A Walker (relevant representative), Mr A Gillett (relevant representative), Councillor S Brunskill (advancing relevant representation by Mellor Parish Council)

695

WELCOME

696

APOLOGIES AND RE-CONSTITUTION OF THE COMMITTEE MEMBERSHIP

There were no apologies received.

697

DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON REGISTRABLE INTERESTS

There were no declarations of disclosable pecuniary, other registrable or non-registrable interests.

698

EVERYTHING RETREAT, PRIMROSE LANE, MELLOR, BLACKBURN BB2 7EQ

The Sub-Committee met to consider the application by the Everything Luxury Hamlet Limited for a Premises Licence to be granted for the Everything Retreat, Primrose Lane, Mellor, Blackburn BB2 7EQ.

The Sub-Committee considered the contents of the report of the Head of Legal and Democratic Services and its appendices.

The Chairman introduced the premises licence application and the Council's Solicitor outlined the format that the hearing would take to allow for a fair, proportionate and proper decision to be made.

Initially the application had sought to allow the provision of films but this request had been withdrawn prior to the Hearing.

The Applicant's representative, Mr Gregson, made verbal representations advising that the application would promote the licensing objectives. He confirmed that the

application related solely to the sale of alcohol to visitors residing at the premises overnight and their guests between 8am and 10pm. He outlined that the lodges are situated on private grounds facing towards fields, and with proper management, he did not believe that noise levels would cause a nuisance. Taking into account the number of people who stay in the lodges (there are 12 lodges and each lodge accommodates 2 people), and the reason they are staying there, he did not believe there would be any nuisance caused.

There were four objectors in attendance. They relied on their previous written representations but, along with the Members and the Council's Solicitor, asked several questions of Mr Gregson to seek clarification on aspects of the application. With regards to the private meeting suite for corporate events, it was confirmed that this would just be available for use by guests who are staying overnight.

A resident expressed concern about additional traffic and the limited parking available in the event that additional guests were to be able to attend the premises, but it was noted that this could arise irrespective of the existence of a licence, and was a planning matter rather than a licensing issue. Concern was also expressed about the possibility of unruly behaviour due to there being a licence.

The Licensing Sub-Committee carefully considered the representations made by all parties, both written and verbal, together with the Licensing Act 2003 and relevant guidance, the regulations and the Council's Statement of Licensing Policy.

RESOLVED:

The Sub-Committee resolved to grant the Premise Licence for the Everything Retreat, Primrose Lane, Mellor, Blackburn BB2 7EQ as applied for, with the exception that the request to provide films had been withdrawn.

699

STANLEY HOUSE MARQUEE, FURTHER LANE, MELLOR BB2 7NP

The Sub-Committee met to consider the application of AF Events Blackburn Limited for a premises licence in respect of Stanley House Marquee, Further Lane, Mellor, Blackburn, BB2 7NP.

The Sub-Committee considered the contents of the report of the Head of Legal and Democratic Services and its appendices.

The Director of the Applicant had submitted an email and letter to the Licensing Authority the day preceding the hearing outlining the company ethos and in particular its event management strategy. As part of the strategy, the company proposed to gather data of neighbouring residents to be able to circulate them with details of proposed activities, and to carry out an assessment on how it should strengthen/install acoustic barriers to the marquee and closest residential areas. The director agreed to copies of this document being circulated to those who had attended in support of relevant representations.

There were five objectors in attendance and Mrs Davies had prepared notes for presentation of objections to the application by the residents. The Director of the Applicant agreed to these notes being copied and circulated to the Members of the Sub-Committee and others present. The notes remarked (amongst other issues) on the absence of evidence of a risk assessment having been carried out prior to submission of the application and (in the event that the application was not refused) that there should be a comprehensive noise impact assessment commissioned by the applicant from an independent suitably qualified and competent person.

The Sub-Committee noted that the applicant was proposing to carry out an assessment in respect of noise and the notes prepared by the objector considered that an assessment should already have been carried out or obtained prior to determination of the application.

RESOLVED:

In accordance with section 9 of the Ribble Valley Borough Council procedure for the conduct of hearings under the Licensing Act 2003 providing for adjournment of hearings to a specified date, the Sub-Committee determined that the application should be adjourned until 10am on Friday 17 March 2023 to enable the Applicant to commission an appropriate noise impact assessment from an independent and suitably qualified person. This would enable the Sub-Committee to have relevant evidence with which to decide the application.

700 EXCLUSION OF PRESS AND PUBLIC

That by virtue of the next items of business being exempt information under paragraph 1 of part 1 of Schedule 12A of the Local Government Act 1972 that press and public be now excluded from the meeting.

701 LICENSING - TAXI

The Sub-Committee received a report from the Head of Legal and Democratic Services requesting that they determine whether the Applicant was a fit and proper person to hold a private hire driver's licence due to the number of penalty points accumulated on the driver's DVLA licence exceeding 7, being the number which could be accepted under the Council's Policy and Guidelines on Relevant Convictions without reference to the Sub-Committee.

The Applicant attended the meeting and made submissions and responded to questions by the Sub-Committee.

RESOLVED:

That the private hire driver's licence application be refused.

The meeting closed at 1.40 pm

If you have any queries on these minutes please contact the committee clerk, Jenny Martin 01200 413214 or at Rebecca.Tait@ribblevalley.gov.uk.