

Minutes of Sub-Committee of the Licensing Committee

Meeting Date: Monday, 6 June 2022, starting at 10.05 am
Present: Councillor S Hore (Chair)

Councillors:

S O'Rourke

J Alcock

In attendance: 2 Part-Time Licensing Officers, Taxi Enforcement Officer, and Administration Assistance (Licensing).

- 49 WELCOME
- 50 APOLOGIES AND RE-CONSTITUTION OF THE COMMITTEE MEMBERSHIP
- 51 DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON REGISTRABLE INTERESTS
- 52 VARIATION OF PREMISES LICENCE - SPREAD EAGLE, MELLOR

The Sub-Committee met to consider the application of Greene King Brewing & Retailing Ltd for variation of the premises licence under Section 34 of the Licensing Act 2003 in respect of the Spread Eagle Hotel, Mellor Lane, Mellor BB2 7EG ("the premises").

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

The report under Appendix B advised the sub-committee that the applicant had originally sought variation of opening hours and the sale of alcohol from 8am daily.

Mr Bradbury (the Business Development Manager of the applicant) made verbal representations to the Sub-Committee on behalf of the applicant and responded to points and questions put by the sub-committee. Mr Bradbury confirmed that the application had been amended from opening at 8am daily to opening from 9.30am on Saturdays and Sundays only. He confirmed of the intent to offer a premium brunch experience with the option to purchase suitable accompanying alcoholic beverages.

It was noted that the applicant had also submitted a planning application for an outdoor terrace and although the change of opening hours would include the outdoor space the planning application was otherwise separate and unrelated to the licencing decision. If planning permission were granted, Mr Bradbury confirmed that any necessary licensing applications would be submitted.

Representations were also made by way of objection in emails detailed in the report. The Council's solicitor confirmed that 2 of the objections had been withdrawn, following amendment of the application. The details of the one remaining objection were read and put to Mr Bradbury who advised that the applicant was sensitive to the views of local residents.

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 relevant regulations and the Council's Statement of Licensing Policy.

The Notice of Determination can be viewed at the following link:
[Spread Eagle Notice of Determination.pdf \(ribblevalley.gov.uk\)](#)

RESOLVED:

The Sub-Committee resolved to grant the amended application requesting opening and sale of alcohol from 9.30 am on Saturdays and Sundays only.

53 EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

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.

54 LICENCE HEARING - TAXI (PERSON 1)

The Sub-committee received a report from the Head of Legal and Democratic Services informing them of an application for a private hire driver's licence and requesting that the Sub-committee determine whether the applicant was a fit and proper person to hold such a licence.

The applicant attended the hearing and made submissions and responded to questions by the Sub-committee.

The applicant currently held a Hackney Carriage driver's licence with another local authority.

The applicant gave permission for the Council to contact that authority to establish whether there were any areas of concern, before reaching a final decision on the application.

RESOLVED:

That a decision on the application by the Sub-committee would be reached following receipt of information from the other authority and any related representations.

55 LICENCE HEARING - TAXI (PERSON 2)

The Sub-Committee received a report from the Head of Legal and Democratic Services requesting that they determine whether an existing private hire driver remained 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 6, being the number which could be accepted under the Council's Policy and Guidelines on Relevant Convictions without reference to the Sub-committee.

The Council's solicitor noted that the driver reported that he had only received odd numbered pages of the agenda. The driver was provided with a full hard copy agenda on arrival and then confirmed to the Sub-Committee that he wished to proceed with the hearing notwithstanding advice from his solicitor to request an adjournment, and that he did not wish to be legally represented.

The driver attended the hearing and made submissions and responded to questions by the Sub-committee.

The Licensing Sub-Committee took account of all the submissions and the Council's convictions policy. Based on the number of convictions and resulting points the Sub-

Committee determined that there were no reasons to depart from the Council's policy and that the driver was not a fit and proper person to hold a licence.

RESOLVED:

That the driver's licence be revoked.

The meeting closed at 11.05 am

If you have any queries on these minutes please contact the committee clerk, Rebecca Tait Rebecca.Tait@ribblevalley.gov.uk.