

Minutes of Sub-Committee of the Licensing Committee

Meeting Date: Friday, 30 June 2023, starting at 10.00 am
Present: Councillor S O'Rourke (Chair)

Councillors:

I Brown

D O'Rourke

In attendance: Administration and Licensing (Alcohol & Entertainment) Officer and Solicitor

Also in attendance: Mr S Ahmed (director of the applicant), Mr P Thompson (relevant representative), Ms K Davies (relevant representative), Ms A Walker (relevant representative) and Councillor S Brunskill (advancing relevant representation by Mellor Parish Council).

157 WELCOME

158 APOLOGIES AND RE-CONSTITUTION OF THE COMMITTEE MEMBERSHIP

There were no apologies for absence.

159 DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON REGISTRABLE INTERESTS

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

160 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 licence requested was for the licensable activities of provision of live and recorded music indoors only between the hours of 1000 hours and 2359 hours Monday to Sunday.

The Sub-Committee considered the contents of the report of the Head of Legal and Democratic Services and its appendices ("**Report**"), together with subsequent written representations from the parties received before the date of the hearing, an Acoustic Assessment Report dated 31 March 2023 prepared by Lighthouse Acoustics and an Acoustic Commissioning Report dated 25 May 2023 prepared by Lighthouse Acoustics.

Mr Ahmed explained that the applicant was currently operating under the licence for their landlord, Stanley House Hotel. However, the applicant considered that they wished to demonstrate social responsibility and apply for their own licence as they knew the nature of the business which they wished to operate. They did not wish to provide alcohol and had excluded the use of fireworks by their clients. The applicants were keen to work with and to seek to avoid having a negative impact upon the local community.

Mr Ahmed answered questions put to him by the Sub-Committee, the Environmental Health Officer and residents. He confirmed the applicant had conducted 50 events in the premises over the past 5 months without complaint. The applicant would not permit the use of external speakers and their sound limiter cannot be altered. He

confirmed that the applicant had already obtained quotations for air conditioning, and they are looking to invest in this. The applicant had no intention of using the Stanley House licence for its events and any new bookings are being taken to terminate at 2300 hours.

The applicant accepted the "Good Practice Guidance" at item 7 of the Noise Assessment Report (with the possible exception of windows being closed after the bridal party had exited through them for photographs), but did not consider the proposed sound levels at 87 for music and 86 for microphone at item 6.9 of the report were appropriate as they operated satisfactorily at a higher level at another venue in Manchester.

The Environmental Health Officer expressed that she was fairly confident with the findings in the reports and the methodology. Residents made observations to her about the particular nature of the local environment, and the lack of background noise; the Environmental Health officer acknowledged this issue and explained that there are residual statutory nuisance considerations as well as any licensing conditions.

Mrs Davies and Mr Thompson made further verbal representations, which included asking that further consideration be given to sound limiting measures, raising concerns around the applicant "flip-flopping" between the licence of Stanley House and the licence currently applied for (if granted), questioning whether air conditioning would actually be installed and outlining that there should not be a lengthy process if there was a breach of that licence.

Councillor Brunskill commented that Mellor Parish Council had continuing concerns which included concerns that the noise report findings were not correct and that it didn't give a true reading given the structure of the marquee.

The Licensing Sub-Committee gave careful consideration to the representations made by all parties, both verbal and written. The Sub-Committee also considered the requirements of the Licensing Act 2003, the licensing objectives, the relevant regulations and guidance under s 182 of the Licensing Act 2003, the relevant provisions of the Human Rights Act as set out in the Report and the Council's licensing policy. The Sub-Committee were mindful of the guidance that any conditions should not duplicate other statutory requirements, and should not replicate offences set out in the Licensing Act 2003 or other legislation. The Sub-Committee were also mindful of the relatively rural location of the premises and the level of background noise when compared to a city location.

RESOLVED:

To grant the licence for provision of live and recorded entertainment indoors only from 1000 hours to 2300 hours each day from Monday to Sunday inclusive, subject to conditions.

161

EXCLUSION OF PRESS AND PUBLIC

There were no items under this heading.

The meeting closed at 11.27 am

If you have any queries on these minutes please contact the committee clerk, Jenny Martin at jenny.martin@ribblevalley.gov.uk.