



# BURNLEY BOROUGH COUNCIL LICENSING ACT 2003 SUB COMMITTEE

BURNLEY TOWN HALL

Tuesday, 23rd June, 2020

## PRESENT

## MEMBERS

Councillors I Emo, P Gill and M Lishman

## OFFICERS

Emma Barker	– Principal Legal Officer - Litigation & Regulation
Alison McEwan	– Democracy Officer
John Clucas	– Licensing and Compliance Officer
Karen Davies	– Environmental Health and Licensing Manager
Alison McEwan	– Democracy Officer (Host)
Christine Wood	– Democracy Officer (Minutes)

## ALSO IN ATTENDANCE

Howard Baker – Councillor  
PC2623 Michael Jones – Lancashire Constabulary  
Malcolm Ireland – Solicitor  
Michaela Harrington – DPS Kings Arms  
John Duignan – PLH Kings Arms

### 11 Appointment of Chair

Councillor Peter Gill was appointed as Chair for this meeting.

### 12 Minutes of the last Meeting

The Minutes of the last meeting held on Tuesday, 9<sup>th</sup> June 2020 were agreed as a correct record.

### 13 Exclusion of the Public

It was agreed that the determination of an application for the review of a premises licence at The Kings Arms, 2 Mill Street, Padiham, BB12 8EX be held in public.

## **14 Review of a Premises Licence - Kings Arms Padiham**

Mr John Clucas outlined the original grounds for the hearing in relation to an application for a review of a Premises Licence at the Kings Arms, 2 Mill Street, Padiham, BB12 8EX. and presented a report to Members on behalf of the Licensing Authority relating to Section 17 of the Licensing Act 2003.

The Committee was advised that on 16<sup>th</sup> June 2020, Lancashire Constabulary had withdrawn the application for a review. PC Michael Jones outlined grounds for withdrawal of the application for a review. Karen Davies advised the Committee of the decision of the Local Authority to proceed with the application for a review of the premises licence and outlined to the Committee grounds for proceeding with the application.

Malcolm Ireland, representing John Duignan and Michaela Harrington presented objections to the application for the review of the premises licence.

### **DECISION**

That a further condition be added to the Premises Licence as follows:

All staff involved in the sale of alcohol to receive training in relation to the licensing objectives to reduce crime and disorder, promote public safety, prevent public nuisance and promote the protection of children from harm. The training should be documented and made available to an authorised officer upon request.

### **REASON FOR DECISION**

The Chair advised that the further condition had been added to prevent a similar situation occurring in the future.

The Chair also advised that the Committee had understood why the review had needed to be brought and that the Licensing Authority had needed to make their representation.

The Chair further advised that the committee had considered the evidence from all parties and believed that the premises licence holder and the DPS had acted reasonably under the circumstances. When the DPS and PLH had become aware of the breach of coronavirus legislation, they had taken immediate action to ensure that the manager was removed from the premises. The Chair commented that it was unfortunate that the only access to the residential premises was through the licensed premises.