



# BURNLEY BOROUGH COUNCIL LICENSING ACT 2003 SUB COMMITTEE

BURNLEY TOWN HALL

Thursday, 3rd August, 2023

## PRESENT

**MEMBERS** Councillor Scott Cunliffe (in the Chair)

Councillors A Kelly and M Townsend

## OFFICERS

Sajada Khan	–	Litigation and Regulatory Solicitor
Lisa Tempest	–	Licensing Compliance Officer
Mark Walker	–	Licensing Compliance Officer
Carol Eddleston	–	Democracy Officer

## Also in Attendance

Judith Hartley - Resident  
Malcolm Ireland – Applicant's Legal Representative  
Craig Kennedy – Applicant  
Madge Nawaz – Colleague of Applicant  
Kristian Torgerson – Paralegal

### 10 Declaration of Interest

There were no declarations of interest in the following item of business.

### 11 Determination of a Premises Licence Application

The Sub-committee considered a report relating to an application for a premises licence under the Licensing Act 2003.

In summary, the application was to enable occasional events limited to a maximum of five one-day events per annum which involved the carrying on of the following licensable activities:

- The sale by retail of alcohol on the premises from 12noon to 10pm Monday to Sunday.
- The provision of live & recorded music, performance of dance & anything similar both indoors and outdoors from 12noon to 10pm Monday to Sunday.

The premises opening hours to be from 8am to 11pm Monday to Sunday.

Relevant representations were received within the prescribed period from one individual and from the Environmental Health Officer. Following the representation period amended conditions were agreed between the applicant and Environmental Health as a responsible authority and the Environmental Health Officer subsequently withdrew their representation.

Following the presentation of the report, all parties had an opportunity to ask questions of the Licensing Compliance Officer.

There were no questions.

Mrs Hartley presented her objections to the application.

All parties had an opportunity to ask questions of Mrs Hartley.

There were no questions.

Mr Ireland presented the case on behalf of the applicant.

All parties had an opportunity to ask questions of Mr Ireland.

Mrs Hartley and the members of the Sub-committee asked a number of questions.

At 11:15 members RESOLVED to adjourn for five minutes to allow Mr Ireland to take instruction from his client, Mr Kennedy.

The meeting reconvened at 11:21.

Each party was given an opportunity to sum up.

Members RESOLVED to go into private session for deliberations and to receive legal advice where appropriate.

## DECISION AND REASON FOR DECISION

### DECISION

To grant the licence as applied for subject to mandatory conditions and conditions consistent with the operating schedule.

### REASON FOR DECISION

The Sub-committee considered the Premises Licence application under Section 17 of the Licensing Act 2003.

The Sub-committee also considered the representation submitted by a local resident.

The Sub-committee noted that there are no objections to the application from Environmental Health and Lancashire Police as Responsible Authorities.

The Sub-committee considers that the application has been thought through and measures have been considered to mitigate noise, parking, and to work with local residents to make such events positive events for the community of Burnley.

The licensing objectives have been considered and the application appears not to undermine these at this stage.