



BURNLEY BOROUGH COUNCIL LICENSING ACT 2003 SUB COMMITTEE

BURNLEY TOWN HALL

Monday, 2nd July, 2018

PRESENT

MEMBERS

Councillors I Carmichael, A Kelly and A Royle

OFFICERS

John Yardley – Licensing Enforcement Officer
Emma Barker – Principal Legal Officer - Litigation & Regulation
Imelda Grady – Democracy Officer

ALSO IN ATTENDANCE

John Clucus – Lancashire Constabulary
Rick Wilson – Trading Standards
Lauren Manning – Trading Standards
Suzanne Parkinson – Trading Standards

8 Appointment of Chair

Councillor Anne Kelly was appointed as Chair for this meeting.

9 Minutes of the last Meetings on 5th and 6th June 2018.

The Minutes of the meetings held on 5th and 6th June 2018 were agreed as a correct record and signed by the Chair.

10 Exclusion of the Public

That the determination of a transfer of a premises licence under the Licensing Act 2003 relating to M & M Food Store, 67-69 Athol Street South, Burnley be held in public.

11 Determination of a Transfer of a Premises Licence - M&M Food Store, 67-69 Athol Street South, Burnley, BB11 4PA.

The applicant and representatives of M & M Food Store were absent.

John Yardley confirmed that that the notices of the hearing had been sent by to the applicant and the applicant's legal representative.

The Committee decided to proceed in the absence of the applicant pursuant to regulation 20 (2) of The Licensing Act 2003 (Hearings) Regulations 2003

John Yardley reported on the application to transfer a premises licence at M&M Food Store, 67-69 Athol Street South, Burnley, BB11 4PA under Section 44 of the Licensing Act 2003 and to specify a new Designated Premises Supervisor (DPS) under Section 37 of the Licensing Act 2003 and presented his case on behalf of the Licensing Authority.

John Clucus presented the case on behalf of Lancashire Constabulary.

Rick Wilson presented the case on behalf of Lancashire County Council Trading Standards Service.

Members and the relevant parties set out above asked questions regarding the transfer of the premises licence and the Designated Premises Supervisor.

DECISION AND REASONS FOR DECISION

Decision

That the transfer of the Premises Licence under Section 44 of the Licensing Act 2003 in relation to M&M Food Store, 67-69 Athol Street South, Burnley, BB11 4PA be refused and the application for Rehana Iqbal to be the new Designated Premises Supervisor under Section 37 of the Licensing Act 2003 also be refused.

Reason for Decision

On the grounds that given the evidence presented to them, the Committee believe Rehana Iqbal was aware and actively involved in the supply and distribution of illicit goods which undermines the licensing objective of the prevention of crime and disorder.