



BURNLEY BOROUGH COUNCIL LICENSING ACT 2003 SUB COMMITTEE

BURNLEY TOWN HALL

Thursday, 15th September, 2022

PRESENT

MEMBERS

Councillors C Briggs, K Ingham, A Kelly and L Mehanna

OFFICERS

Karen Davies	– Environmental Health and Licensing Manager
Lisa Tempest	– Supervisor - Administrator Environmental Health and Licensing
Sajada Khan	– Locum Regulatory Solicitor
Carol Eddleston	– Democracy Officer
Jill Wolfendale	– Principal Environmental Health Officer

8 Appointment of Chair

Councillor Kelly was appointed Chair of the meeting.

9 Minutes of the last Meeting

The minutes of the last meeting, held on 19th May 2022, were approved as a correct record and signed by the Chair.

10 Declaration of Interest

There were no declarations of interest in any of the items on the agenda.

11 Hearing of three Temporary Event Notices following receipt of notices of objection

The Sub-committee considered a report relating to three Temporary Event Notices (TENS) for Electric Circus, 51 Bank Parade, Burnley following the submission to the Licensing Authority of an objection from Environmental Health.

The TENs were for events as follows:

1st October 2022

- “40th birthday party for a private group to include the playing of recorded music by local dj’s”,
- maximum number of people in attendance - 150
- licensable activities applied for:
 - The sale by retail of alcohol from 18.00hrs to 01.00hrs
 - The provision of regulated entertainment from 18.00hrs to 01.00hrs
 - The provision of late night refreshment from 18.00hrs to 01.00hrs

15th October 2022

- “A ticketed music event which will limit the number of admissions and will be controlled with 2 doormen. Performance of live music, playing at pre-recorded music, supply of alcohol”,
- maximum number of people in attendance - 150
- licensable activities applied for:
 - The sale by retail of alcohol from 21.00hrs to 03.00hrs
 - The provision of regulated entertainment from 21.00hrs to 03.00hrs
 - The provision of late night refreshment from 21.00hrs to 03.00hrs

22nd October 2022

- “To host a reunion party for a private group to include the playing of recorded music by local dj’s”,
- maximum number of people in attendance - 150,
- licensable activities applied for are:
 - The sale by retail of alcohol from 18.00hrs to 01.00hrs
 - The provision of regulated entertainment from 18.00hrs to 01.00hrs
 - The provision of late night refreshment from 18.00hrs to 01.00hrs

Lisa Tempest attended the hearing and presented the report on behalf of the Licensing Authority.

Jill Wolfendale attended the hearing and presented the case on behalf of Environmental Health.

Mr Ray Harrison (premises owner) presented the case on behalf of the applicant (Ryan Harrison), and Mr Matthew Robinson (event organiser) provided supplementary information about the event on 15th October in particular.

Members and all parties present asked questions.

Members heard that the Council had received no specific complaints about noise nuisance emanating from Electric Circus specifically. However, they also heard that an application to discharge the pre-occupation conditions that were attached to the planning application decision notice COU/2021/0326 for 51 Bank Parade, one of which (condition 3) related to the submission of a noise assessment, had not been made by the applicant. Consequently Environmental Health was not able to establish if any measures had been put in place to mitigate noise leakage from the building, such as appropriate noise insulation.

Mr Harrison confirmed that Electric Circus had received no written complaints and informed the Sub-committee that the noise assessment would be undertaken shortly.

Members RESOLVED to go into private session to consider the Temporary Event Notices, and to receive legal advice.

RESOLVED:

- 1) That the meeting be adjourned until 1:00pm on Thursday 29th September to allow the applicant the opportunity to obtain a noise assessment, which is already a condition attached to the premises licence [at page 7], and
- 2) That the applicant be requested to submit a copy of the noise assessment to the Licensing Authority prior to the resumption of the hearing on 29th September.