

LICENSING ACT 2003 SUB-COMMITTEE
TUESDAY, 20th APRIL 2010

PRESENT – Councillor Konrad Tapp (in the Chair), Councillor Jim Smith and Councillor John Williams

RESOLUTIONS

48 Declarations of Interest

There were no declarations of interest

49 Application for a Premises Licence – Wensley Mini Market, 75 Wensley Rd, Blackburn, BB2 1AQ.

The application was submitted by Mr Fida Ashraf in respect of the Wensley Mini Market, 75 Wensley Road, Blackburn, for a premises license under the Licensing Act 2003.

The application sought is to permit the following licensable activity: the sale of alcohol from 08:00 hrs to 23:00 hrs Monday to Saturday and 10:00 hrs to 22:30 hrs on Sunday.

The opening hours to members of the public would be the same as those for the sale of alcohol. The opening hours for Christmas Day are 12:00 noon to 15:00 hrs and then 19:00 hrs to 22:00hrs. On Good Fridays the hours requested are 09:00 hrs to 22:30 hrs.

All representations appear to relate to the licensing objective of the prevention of public nuisance. It has been determined that they are relevant and comply with Section 35(6) Licensing Act 2003.

All responsible authorities have been consulted, advertisements have been displayed in accordance with the Act, two objections have been received from residents in the area. They have raised the objection under the public nuisance objective.

No objections have been received from any of the other relevant authorities or interested parties.

In considering the application, Members took into account the information presented by the Council's Public Protection Officers, representations from Mr Ashraf (the Applicant), Mr Thomas Orrell and Mrs Edna Sharples voiced their concerns relating to the licensing objective of the prevention of public nuisance; Jide Martins the Council's Solicitor gave legal advice on the importance of prevention of public nuisance as an objective of the Licensing Act 2003.

The Chair invited all interested parties to be involved in the discussions that followed.

Following submissions by the Council's Public Protection Officers, Jide Martins, Mrs Sharples, Mr Orrell and John Smith, the sub Committee retired to seek legal advice.

RESOLVED –

That in relation to Wensley Mini Market, 75 Wensley Road, Blackburn, BB2 4PL:

The Committee, having heard the representation in relation to the concerns in relation to prevention of public nuisance, and the applicant's indication to remove litter at the opening and close of business, and also the new hours of business:
08:00 – 22:00 Monday – Saturday
10:00 – 22:00 Sunday

In addition, the owner has installed CCTV, both inside and outside the business premises.

The Committee took the view, that all these measures are sufficient for the promotion of the licensing objectives, and accordingly grant the license.

Signed

Chair of the meeting at which the Minutes were signed

Date