

**LICENSING ACT 2003 SUB-COMMITTEE
TUESDAY 7th MARCH 2017**

PRESENT – Councillor John Wright (in the Chair), Councillors Imtiaz Ali (sub for Denise Gee) and Jim Casey.

RESOLUTIONS

1 Welcome and Apologies

The Committee introduced themselves to those in attendance.

The Chair explained that as the Applicant was running late, the order of the meeting would be reversed, with objectors heard first, followed by the Applicant when he arrived.

2 Declarations of Interest

There were no declarations of interest.

2 Application for a Premises Licence – Cherry Tree Cricket Club

The Sub-Committee considered an application for a Premises licence in respect of Cherry Tree Cricket Club, 459 Preston Road, Blackburn BB2 5ND.

A number of objections had been received, under the public nuisance objective. Details of objections from residents were contained in the report submitted and the several of the objectors were present at the meeting and the Chair agreed to let them outline their objections in person. The Applicant also was given the opportunity to state his case and address the concerns of the residents.

In considering the application for the Premises Licence, Members took into account the information presented by Public Protection Officers, local residents, Ward Councillor Paul Marrow and the Applicant. Prior to making representations all responsible authorities had been consulted and advertisements had been displayed in accordance with the provisions of the Licensing Act. Following mediation with Licensing Enforcement and Environmental Health the Applicant had agreed extra conditions relating to the protection of children and public nuisance. At the meeting, the Applicant also agreed to Recorded Music ceasing at 12 midnight each day.

Following submissions by the Council's Public Protection Officers, Objectors and the Applicant, the Sub-Committee retired to seek legal advice.

The Chair of the Sub Committee advised those present that a decision would be made and that the Applicant and Ward Councillors would be advised of the outcome.

RESOLVED – That the Application for a Premises Licence in respect of Cherry

Tree Cricket Club, 459 Preston Old Road, Blackburn be granted subject to the following conditions being imposed:

Prevention of Crime and Disorder

1. The premises will have a CCTV system in full operation covering both internal and external areas. Images will be retained for a minimum of - 31 days and available on request to the Police or the Local Authority authorised officers. Members of the Management will be trained in the use of the system.

Protection of Children from Harm

1. All persons who appear to be under the age of 25 years shall be required to produce proof of age by way of the following:
 - A recognised proof of age card accredited under the British Retail Consortiums Proof of Age Standards Scheme (PASS)
 - Photo driving licence
 - Passport
 - Citizen card supported by the Home Office
 - Official ID card issued by HM Forces or European Union Member State bearing a photograph and birth date of the holder
2. A refusals log will be kept on the premises to record any refused sales of alcohol to anyone who cannot comply with the Challenge 25 policy.
3. All staff shall receive training in relation to the licensing objectives so as to reduce crime and disorder, promote public safety, prevent public nuisance and promote the protection of children from harm. All staff shall receive regular refresher training. All training will be documented and will be made available to an authorised officer upon request.
4. A notice or notices shall be displayed where they can be clearly seen and read and shall indicate that it is unlawful for persons under 18 to purchase alcohol **and** it is unlawful for any person to purchase alcohol on behalf of a person under 18 years of age.

Prevention of Public Nuisance

1. The performance of music shall not extend beyond the following:

Live Music

Recorded Music

Monday	-	19:00 to 00:00
Tuesday	-	19:00 to 00:00
Wednesday	-	19:00 to 00:00
Thursday	19:00 to 00:00	19:00 to 00:00
Friday	19:00 to 00:30	19:00 to 00:00
Saturday	19:00 to 00:30	14:00 to 00:00
Sunday	19:00 to 00:00	14:00 to 00:00
Bank holidays or the preceeding day (ie. but not in addition to the Bank Holiday), Christmas Eve, Boxing Day, New Years Eve	19:00 to 01:00	19:00 to 00:00

2. Windows shall be closed when music is being played.
3. The rear fire door shall be kept closed whilst music is being played at the premises unless in the event of an emergency. Emergency incidents shall be recordrd.
4. Smoking will not be permitted outside the main entrance doors, which are located close to the access lane leading from Preston New Road. These doors shall be self-closing and they will not kept open when music is being played.
5. The DPS or anybody delegated for that purpose shall make regular checks of external areas to monitor potential nuisance being caused by smokers / customers outside and to assess noise breakout from the premises whilst live or recorded music is being played. Where noise levels are considered likely to cause a disturbance at neighbouring premises the music level shall be reduced. Where it is evident that customers are causing a nuisance they must be told to stop causing a nuisance and asked to go inside the premises or ejected from the premises.
6. The DPS or anybody delegated for that purpose shall make all reasonable attempts to ensure that customers leave the premises quickly and quietly at the end of the night. Noisy and rowdy customers shall be asked to quieten down as necessary.
7. Clear signage shall be placed at all exits of the premises asking customers to leave quietly and respect the residential nature of the neighbourhood, or any equivalent message.

Signed
Chair of the meeting at which the Minutes were signed

Date