



## Licensing Committee Minutes

Minutes of the meeting of the Licensing Committee of Wyre Borough Council held on Thursday 30 June 2016 at the Civic Centre, Poulton-le-Fylde.

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### Licensing Committee members present:

Councillor M Anderton	Councillor Pimbley
Councillor Barrowclough	Councillor Smith
Councillor Beavers	Councillor Matthew Vincent
Councillor C Birch	Councillor Wilson (for item 6 only)
Councillor Bridge	

**Apologies:** Councillors' Collinson, Holden, Moon, Ormrod and Robinson.

### Officers present:

C Ferguson, Licensing Manager  
A Berry, Assistant Solicitor  
C Leary, Democratic Services Officer.

**Non-members present:** None.

**Members of the public present:** James Whewell (Junior), Sally Whewell, Louise Carver, Ian Cookson, Honorary Alderman Brooks and one member of the public (all for Item 5 only)

No Members of the Press were present.

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### LIC. 08      **Declarations of interest**

None.

### LIC. 09      **Confirmation of minutes**

The minutes of the Licensing Committee meeting held on Thursday 26 May 2016 were confirmed as a correct record.

**LIC. 10****Application for a new premises licence for The Apple Store Café, Snow Hill Lane, Scorton, PR3 1BA**

The Service Director Health and Wellbeing submitted a report to provide members with information to assist them at a hearing to determine an application for a new premises licence under the Licensing Act 2003, for The Apple Store Café, Snow Hill Lane, Scorton, PR3 1BA.

Present at the meeting were; The applicant- Mr J Whewell, Mrs S Whewell and Ms L Carver.

Mr I Cookson, on behalf of himself and other local residents who had submitted representations against the application.

Mr Whewell addressed the committee and outlined the application in more detail, explaining the reasons for the new premises licence. The applicant informed the committee that he was willing to reduce the hours of entertainment both inside and the premises and outside in the adjoining gardens, should the licence be granted.

Mr Cookson then spoke to the committee, outlining the objections and concerns that he and his neighbours on Snow Hill Lane had about the application for a premises licence at The Apple Store Café, Scorton.

Mr Whewell responded to those concerns in Mr Cookson's presence and confirmed the proposed changes with regards to the prevention of noise nuisance.

Members retired to consider the application in closed session. The Licensing Committee then reconvened and the Chairman announced the Committee's decision.

**RESOLVED** that

A new premises licence for The Apple Store Cafe, situated at Snow Hill Lane, Scorton, PR3 1BA, be granted on the basis set out in the decision below. The committee noted the objections, but were satisfied that the changes to the licence granted and modified times would not undermine the Licensing Objectives.

In reaching its decision, the Committee had regard to:

1. The Licensing Act 2003 (the Act)
2. The Guidance published by the Secretary of State under s182 of the Act
3. The Council's Licensing Policy

**Decision**

The Committee decided to grant the premises licence for the licensable activities as applied for, subject to conditions outlined in the committee report and amended timings as offered by the Applicant at the Hearing.

Licensable activities are granted as follows:  
Supply of alcohol on and off the premises:  
Monday to Sunday 08.00hrs to 00.00hrs  
(no consumption outside after 22.00hrs)

Live or recorded music, films, performance of dance:  
Indoors  
Monday to Sunday 08.00hrs to 23.00hrs  
Outdoors:  
Monday to Sunday 08:00hrs to 21:00hrs

Late Night refreshment  
Indoors and outdoors  
Monday to Sunday 08.00hrs to 00.30hrs

Hours that premises are open to the public  
As applied for  
Monday to Sunday 08.00hrs to 00.30hrs

### **Conditions:**

A noise limiter will be provided and used for amplified live and recorded music inside the premises;  
No amplified music will be provided outside.

### **Reasons for the Decision**

- The Committee noted the objections from Mr Cookson, Mr and Mrs Smith, Ms Elliott and Mrs Whitaker but were satisfied that granting a new premises licence subject to the additional conditions and modified times would not undermine the Licensing objectives.
- The Committee noted that there were no objections from the Police or other Responsible Authority.
- The Committee considered that the condition requested by the Environmental Health Officer in addition to those offered by the applicant were reasonable and necessary in the promotion of the Licensing Objectives.
- The Committee considered the representations and the oral submission from Mr Cookson, highlighting concerns with regard to noise nuisance that could arise in the future. However, the Committee noted that the Applicant and Mr Cookson were working together and had formed a positive neighbour relationship. The Applicant had listened to concerns raised and voluntarily offered conditions to alleviate those concerns.

- The Committee considered that the revised times and additional conditions were adequate to prevent any Public Nuisance and advised Mr Cookson that the review procedure would be the correct approach to deal with any future problems.

**LIC. 11      Application for a variation of a gaming machine permit**

The Service Director Health and Wellbeing submitted a report to consider an application for the variation of a gaming machine permit in respect of the Newton Arms, Staining, FY3 0AJ.

Members discussed the item and noted the key issues and proposals, including Wyre's scheme of delegation stating that the Licensing Committee "must determine any application that comes before them, requesting more than 4 category C/D machines to be installed at any one premises".

**RESOLVED** that

The application to increase the number of Category C/D gaming machines at Newton Arms, Staining, FY3 0AJ by one, to a total of five, be granted.

The meeting started at 6.23pm and finished at 7.38pm

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