

Licensing Act 2003 Sub-Committee

Wednesday, 10 November 2010

Present: Councillor Keith Iddon (Chair) and Councillors Ralph Snape and John Walker

10.LAS.21 APOLOGIES FOR ABSENCE

There were no apologies for absence.

10.LAS.22 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest.

10.LAS.23 APPLICATION FOR A PREMISES LICENCE IN RESPECT OF I.D. BAR 72 MARKET STREET, CHORLEY, PR7 2SE MADE UNDER SECTION 17 OF THE LICENSING ACT 2003

The Sub-Committee considered an application for the grant of a premises licence in respect of the ID Bar, 72 Market Street, Chorley in light of representations made towards the application under Section 18 (3) of the Licensing Act 2003.

Members of the Sub-Committee considered the application and the written and verbal representations from Lancashire Constabulary as a Responsible Authority.

The Sub-Committee considered the amended guidance issued by the Secretary of State under Section 182 of the Act, together with the Council's Licensing Policy, in particular those paragraphs referred to in the report. The Sub-Committee also considered Human Rights implications, in particular Article 6, Article 8 and Article 1 of the First Protocol.

The Sub-Committee were of the view that the public safety licensing objective would be undermined by the grant of the application for the following reasons:

1. The applicant has persistently failed to ensure that his properties met lawful requirement to ensure the safety of the occupants.
2. The successful prosecutions against the applicant under fire safety legislation and the Housing Act 2004 demonstrate that there are serious concerns over the safety of properties under his control.
3. Deficiencies on the 3rd floor of the building outside the proposed licensed area could nevertheless pose a serious threat to public safety if the licence were granted.

The Sub-Committee **RESOLVED – That the application for a premises licence be refused for the reasons as stated above.**

The Sub-Committee noted that the Police had no objection to the proposed DPS and did not object to the proposed licensed premises themselves. The Committee emphasised that neither the DPS nor the premises themselves were an impediment to this application.