

Licensing Panel

Tuesday, 25th July, 2023, 5.00 pm

Shield Room, Civic Centre, West Paddock, Leyland, PR25 1DH

Agenda

1 Apologies for absence

2 Declarations of Interests

Members are requested to indicate at this stage in the proceedings any items on the agenda in which they intend to declare an interest. Members are reminded that if the interest is a Disclosable Pecuniary Interest (as defined in the Members' Code of Conduct) they must leave the room for the whole of that item. If the interest is not a Disclosable Pecuniary Interest, but is such that a member of the public could reasonably regard it as being so significant that it is likely that it would prejudice their judgment of the public interest (as explained in the Code of Conduct) then they may make representations, but then must leave the meeting for the remainder of the item.

3 Review of a Premises Licence - School Lane Super Saver Ltd, Bamber Bridge

(Pages 5 - 46)

Report of the Director of Planning and Development attached.

Chris Sinnott
Chief Executive

Electronic agendas sent to Members of the Licensing Panel Councillors Jane Bell, Paul Wharton-Hardman and Harry Hancock

The minutes of this meeting will be available on the internet at www.southribble.gov.uk

LICENSING ACT PANEL

PROCEDURE FOR ALL HEARINGS BEFORE THE LICENSING PANEL TO DETERMINE ANY APPLICATIONS OR COMPLAINTS MADE UNDER THE LICENSING ACT 2003.

PRELIMINARY POINTS

It has been agreed by Licensing and Public Safety Committee that, in addition to the Declaration of any personal or prejudicial interest (in accordance with the Local Government Act 2000):

- Any member in whose ward an application premises is situated will declare this and will not take part in the hearing of the application.
- Any member of a Licensing Panel who wishes to either support or oppose the granting of a licence either personally or on behalf of their constituents, must attend either as a supporter of the application or as an objector and sit in the public gallery. That member may not sit on a Licensing Panel hearing for the application.
- Subject to Section 100A of the Local Government Act 1972, the Panel may exclude the public from all or part of the hearing where it considers that the public interest in doing so outweighs public interest in the hearing, or that part of the hearing, taking place in public. This will include, at the discretion of the Panel the exclusion of the public during its deliberations and its decision making.

HEARING PROCESS

Please note that the applicant in a review hearing is a person who has applied to review the licence. This could be a responsible authority or a member of the public. In this case the applicant is not the licence holder.

APPLICATION PROCESS PROCEDURE

- 1) General introduction by the Chair and the procedure to be followed in the hearing.
- 2) In accordance with Regulation 23 of the Licensing Act 2003 (Hearings) Regulations 2005 the Chair of the Panel will lead the discussion.

- 3) A Licensing Officer will briefly outline the application.
- 4) Applicant(s) Case:
(Responsible authority if for a Review):
 - a) The applicant(s) will be invited to put forward any information in support of their application including the calling of witnesses.
 - b) The objector(s) and/or representatives, the Panel and any other Responsible Authority may ask questions of the applicant, witnesses and/or their representatives.
- 5) Responsible Authorities:
 - a) Any other Responsible Authority (who has made representations) will be invited to put forward any information in support of their representation including the calling of witnesses.
 - b) The objector(s) and/or representatives, the Panel and applicant(s) may ask questions of the Responsible Authority, witnesses and/or their representatives.
- 6) The Objector(s) Cases(s):
 - a) The objector(s) will be invited to put forward any information in support of their objection including the calling of witnesses.
 - b) The applicant(s) and/or their representatives, the panel and any other Responsible Authority may ask questions of the objector(s), witnesses and/or their representatives.
- 7) The Chair will then ask the applicant if, in light of the representations, they wish to amend the application. **The Panel will only consider the application laid before it during decision making.**
- 8) Summing up:
 - a) Objector(s) Case(s)
 - b) Applicant(s) Case
- 9) Conclusion

The Chair will ask the Licensing Authority Legal Representative whether there are any other matters to be raised or resolved before the hearing is closed for deliberations.

10) Deliberations

Generally the public and the applicant will be excluded when the Panel is determining the hearing decision.

11) Notice of Decision

The decision will be issued to the applicant and any interested parties five working days after the Hearing meeting.