

Minutes of: LICENSING HEARING PANEL

Date of Meeting: 8 April 2015

Present: Councillor (in the Chair)
Councillors D Cassidy, R Hodgkinson and D Jones

Also in attendance:

Public Attendance: No members of the public were present at the meeting.

Apologies for Absence:

907 DECLARATIONS OF INTEREST

No declarations of interest were made in relation to any items considered at the meeting

908 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF EURO SHOP, 99 - 101 ROCHDALE ROAD, BURY

Prior to the Hearing the authority received an application submitted by the Applicant. The application was for a Premises Licence under Part 3 of the Licensing Act 2003, for the supply of alcohol to the public.

The application was as detailed in the report which was presented to the Members of the Panel by the Deputy Licensing Officer.

All written representations were contained within the written submissions provided to the Panel.

All documentary evidence comprising the application, the report provided with the agenda and representations were served on all parties in advance of the hearing.

The Panel heard oral representations from the Applicant.

The Panel asked questions of the Applicant. All parties were offered the opportunity to question the Premises User and vice versa.

The Applicant was allowed the opportunity to sum up their case.

The Panel then duly retired to consider the application and all of the information provided.

The Panel considered the written representations from the petitioners but found there was no evidence to support their concerns regarding nuisance behaviour or littering

The Members of the Panel were advised by the Legal Officer as to their duties under Section 4 of the Licensing Act 2003 to at all times consider the promotion of the Licensing Objectives, these being:

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

The Members were also advised of their duties in carrying out those functions in relation to:

- a) the Council's published Statement of Licensing Policy
- b) the Guidance issued by the Secretary of State as contained in section 182 of the Licensing Act 2003, which was updated in June 2013

In addition Members were advised to give appropriate weight to the steps that are appropriate to promote the licensing objectives and the representations presented by all parties.

The Panel also had regard to the European Convention on Human Rights and in particular that everyone has the right to peaceful enjoyment of his possessions, respect for his private and family life, his home and his correspondence. A fair balance between competing interests must be considered.

DECISION

Having heard all the oral submissions and having considered all of the documentation before it, the Panel considered the merits of the case and in accordance with its duties decided as follows.

The evidence was considered with care and it was established that following the evidence, having understood the application and equally understanding the representations made, on balance the Panel found there were no causes for concern so far as the promotion of the four Licensing Objectives were concerned.

The Panel therefore considered it reasonable, balanced, appropriate and proportionate, based on all of the evidence, **To Grant the Application for a Premises Licence** as set out in the report.

COUNCILLOR Chair

(Note: The meeting started at Time Not Specified and ended at Time Not Specified)