

Minutes of: LICENSING HEARING SUB COMMITTEE

Date of Meeting: 14th July 2025

Present: Councillor T Rafiq (in the Chair)
Councillors D Green and D Quinn

Also in attendance: M. Bridge (Licensing Unit)
M. Cunliffe (Democratic Services)
R. Thorpe (Legal Services)

Mr S Crawford (Applicant)
Mr J Dolwin (Applicant)
Mr C Lucan (The Licensing Guys – Applicant's Consultant & Agent)
Councillor D. Berry (On behalf of some representors)
Councillor A. Booth (Observing)
Councillor G. Marsden (Observing)

Public Attendance: The Hearing was held virtually and interested members of the public were provided with a link to access the hearing online via Microsoft Teams or could be telephoned into the meeting via audio only. No members of the public or press were in virtual attendance.

1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by B. Thomson (Assistant Director of Operations Strategy).

2 DECLARATIONS OF INTEREST

There were no declarations of interest made.

3 MINUTES OF THE LAST MEETING

The minutes of the last Licensing Hearing Sub Committee meeting held at 1.00pm on Thursday the 12th June 2025 was attached to the agenda.

Resolved:- That the minutes of the Licensing Hearing Sub Committee held at 1.00pm on the 12th June 2025 be approved as a correct record.

4 APPLICATION FOR A CLUB PREMISES CERTIFICATE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF BOLTON WYRESDALE AMATEUR FOOTBALL AND SPORTS CLUB, 65 RADCLIFFE MOOR ROAD, BOLTON, BL2 6RF

The Licensing Authority received an application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Bolton Wyresdale Amateur Football and Sports Club, 65 Radcliffe Moor Road, Bolton, BL2 6RF.

The applicant for the licence is Bolton Wyresdale Amateur Football and Sports Club Plc, 31 Knightswood, Beaumont Chase, Bolton BL2 6RF. Mr Stan Crawford of 31 Knightswood, Beaumont Chase, Bolton BL2 6RF is the proposed Secretary. The applicant has requested that the Club Premises Certificate if granted by Members today is to commence from the 16th August 2025.

The Applicant had complied with all the necessary procedural requirements laid down by the Act.

The Licensing Unit Manager presented the report and as part of the statutory process the responsible authorities and interested parties are entitled to make representations in relation to the grant of a licence. Where representations are made and not withdrawn Members are required to determine them.

Representations must be relevant to the licensing objectives defined within the Act. The objectives are:-

- the prevention of crime and disorder
- public safety
- prevention of public nuisance and
- protection of children from harm

The application is for the grant of a Premises Licence under Part 3 of the Licensing Act 2003.

Opening Times:

Monday to Saturday	12.00 till 23.00
Sunday	12.00 till 22.30

Supply of Alcohol by or on behalf a club to the order of a member of the Club (on the premises only):

Monday to Saturday	12.00 till 23.00
Sunday	12.00 till 22.30

Recorded Music (Indoors)

Wednesday to Saturday	18.00 till 23.00
Sunday	18.00 till 22.30

Due to the Live Music Act 2012, there is no need to licence this activity until after 23.00.

The conditions contained in the operating schedule submitted by the applicant were contained at Appendix 1 in the agenda packs.

The club rules were contained at Appendix 2 in the agenda packs.

13 representations had been received from interested parties and they had been invited to make their representations at the hearing. The representations were attached at Appendix 3 in the agenda packs. The Licensing Unit Manager clarified that Councillor Berry was representing 6 representors, the other 6 had provided their apologies for the meeting and 1 had not replied back after being contacted by Licensing Officers.

After hearing the representations made and the evidence presented, Members are obliged to determine the application with a view to promoting the licensing objectives and having regard to the Authority's Licensing Policy and National Guidance.

The Secretary of State's Guidance to the Licensing Act 2003 is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides

information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.

Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.

Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

In making its decision with regard to this grant hearing, the steps the Sub-Committee can take are:

- To grant the application in the terms requested
- To grant the application subject to conditions
- To amend or modify existing or proposed conditions
- To refuse the application

All licensing determinations should be considered on the individual merits of the application.

The Sub-Committee's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.

It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.

The Sub-Committee was asked to determine what steps, as set out above, are appropriate for the promotion of the licensing objectives.

Mr Chris Lucan (The Licensing Guys – Applicant's Consultant & Agent) addressed the Sub Committee and referred Members about the club rules contained at Appendix 2 in the agenda pack. Two of the objectives were to support sporting, social, recreational and cultural activities and events in which Bolton Wyresdale teams participate along with providing and maintaining high quality facilities for its members.

Mr Lucan explained the purpose of the club had not changed and it was not turning into a sports bar or nightclub and this was for the benefit of club members. People off the street would not be able to use the facility and guests needed to be signed in by a member. The hours are wide but the intention was not to operate for the full time period and this would save on applying for temporary event notices for special events. The operating schedule underpinned the licensing objectives and there was no history of disorder at the club.

Mr Lucan pointed out that no responsible authorities had made any concerns or representations for the application. The representations included in the report had no evidence to support these statements and Mr Lucan addressed a number of the points made in the representations submitted.

A Member enquired how the club would check people entering are members of the establishment and was the room available for function hire. Mr Joe Dolwin, a Director at the club reported people have to apply for a membership with verification taking place within 48 hours. Entry is only permitted once approved and a trained member of staff would be on site monitoring members. Unknown people would be asked which members they were accompanying on the premises and guests are required to sign in. A member could hire the venue but could only sign in one guest although children are not counted.

Councillor Berry stated there had been many objections made to the initial planning application for the site and local residents never thought it would become a social venue. He expressed concerns relating to the licensing objectives and there were many unknowns to take into account on behalf of local residents. He added that there was no mention on noise levels related to music and hoped this could not be heard beyond the boundary of the site. A request was made that a review take place after 6 months, a 10.00pm closing time be considered, deliveries take place in a set time period and stewards manage the car park.

The Licensing Unit Manager reminded Members of the Committee that due to the Live Music Act 2012, there was no need to licence music until after 11.00pm. He also reported that there was a review process available should there be any representations submitted from responsible authorities after approval if the promotion of the licensing objectives were not being met.

Mr Lucan summed up stating that by law the venue could only cover up to 500 people and to answer the question about an opposing team using the venue, 11 members would each have to sign one guest in. There would be no off-site sales and no excessive alcohol usage with safeguarding measures in place. Music would not be played at an excessive level and there was no negative history with the club with representations being based on speculation.

The Sub-Committee then duly retired to consider the application.

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:

- a) the prevention of crime and disorder
- b) public safety
- c) the prevention of public nuisance
- d) the protection of children from harm

The Members were also advised of their duties in carrying out those functions in relation to the relevant provisions of the national guidance and the Council's licensing policy statement.

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

Delegated decision

All of the evidence was considered with care, and it was established that having understood the application and equally noting and understanding the representations, the Sub-Committee found there were no causes for concern so far as the promotion of the licensing objectives were concerned.

It was therefore agreed unanimously that the Sub- Committee **grant the application in the terms requested** and subject to the following conditions:-

The Chair advised that the panel stressed the club rules about members and signing guests in on arrival must be upheld at all times.

Operating Schedule

General

- Ensure all staff are trained in recognizing and preventing potential crime and disorder, including procedures for dealing with intoxicated customers, security protocols, and conflict resolution.

Crime and Disorder

- Suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.
- Spirits will be located behind the counter.
- Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken.
- A zero-tolerance policy towards drugs, violence, and anti-social behaviour will be enforced.

Public Safety

- The premises will comply with all relevant health and safety, fire safety, and building regulations.
- Regular risk assessments will be carried out to identify and manage hazards.
- Clearly marked fire exits and escape routes will be kept unobstructed and illuminated at all times.
- A first aid kit will be available on-site and key staff will be trained in basic first aid.
- Electrical and gas equipment will be regularly tested and certified.
- Emergency Procedures: Develop and practice emergency procedures for various scenarios, such as fire, medical emergencies, or security breaches.

Prevention of Public Nuisance

- Noise Control: Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours. All customers will be asked to leave quietly.
- Waste Management: Manage waste effectively to prevent litter and odours, ensuring that all waste is collected regularly and stored appropriately.
- Lighting: Ensure adequate lighting to enhance visibility and prevent accidents, while also minimizing light pollution to neighbouring properties.
- Parking: Manage parking to avoid congestion and prevent public nuisance, ensuring that parking spaces are clearly marked and accessible.

Protection of Children from Harm

- Staff will ask persons who appear to be under the age of 25 for photographic ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving

licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer.

- All staff will be trained for underage sales prevention regularly.
- A register of refused sales shall be kept and maintained on the premises.

COUNCILLOR T RAFIQ
Chair

(Note: The meeting started at 9.30am and ended at 10.30am)