

**MINUTES OF A MEETING OF THE LICENSING COMMITTEE
HELD ON 13TH JUNE, 2022
AT NELSON TOWN HALL**

PRESENT –

Councillor J. Purcell (Chairman – in the Chair)

Councillors:

*M. Aslam
D. Lord
K. McGladdery*

Officers in attendance:

*M. Ali Licensing Administration Officer
E. Barker Litigation and Regulatory Lawyer
L. Rowland Committee Administrator*

(Apologies for absence were received from Councillors F. Ahmad, S. Ahmed, M. Hanif, M. Kaleem and P. McGladdery.)



1. APPOINTMENT OF VICE-CHAIRMAN

RESOLVED

That Councillor Kieran McGladdery be appointed Vice-Chairman of the Committee for the municipal year 2022/23.

2. DECLARATION OF INTERESTS

Members were reminded of the legal requirements concerning the declaration of interests.

3. MINUTES

RESOLVED

That the Minutes of the meeting held on 10th November, 2021 be approved as a correct record and signed by the Chairman.

**4. THE LICENSING ACT 2003 –
APPLICATION TO VARY A PREMISES LICENCE,
PAPAS PIZZA, 146 LEEDS ROAD, NELSON**

The Planning, Economic Development and Regulatory Services Manager submitted a report for Members to consider an application to vary a Premises Licence for the premises at 146 Leeds Road, Nelson. The application stated the nature of the proposed variation was to extend the business from 146 to 144-146 with the same activity 'Late Night Refreshment' and the same hours. The current licence allowed late night refreshment from Monday to Sunday between the hours of 23:00 and 00:00 (midnight). The opening hours of the premises were Monday to Sunday from 17:00 to 00:00 (midnight).

Representations had been made by Pendle Borough Council Licensing under the 'Prevention of

Crime and Disorder', 'Public Safety', 'Prevention of Public Nuisance' and 'Protection of Children from Harm' licensing objectives. Four representations had also been made by interested parties (being local residents) under the same four licensing objectives.

The Members and all relevant parties had received a copy of the report which included a copy of the application and the representations received.

Neil Watson (Pendle Borough Council Licensing) and Abaid Hussain who had made representations, attended the hearing.

The application had been submitted by Papas Pizza Food Ltd who did not have a representative present. It was confirmed that they had been notified of the hearing and it was agreed that the application proceed in their absence.

RESOLVED

- (1) That, having listened to the representations made with regard to the premises licence variation application under the Licensing Act 2003 in respect of "Papas Pizza", 146 Leeds Road, Nelson, that the application be granted subject to the following conditions being added to the licence: -
 - (i) All delivery drivers must park their vehicles on either St. Philip's Street adjacent to the church (not on the residents' side) or any nearby car park.
 - (ii) Delivery drivers must not park on the back street at the rear of the premises.
 - (iii) The licence holder shall ensure that all delivery driver vehicles are not parked on Leeds Road causing obstruction or outside residents' properties.
 - (iv) The licence holder must ensure that all customers are advised to park their cars on St. Philip's Street adjacent to the church (not outside residents' properties) or any nearby car park.
 - (v) The licence holder shall ensure that no customers are served who park their vehicles on Leeds Road causing obstruction or outside residents' properties.
 - (vi) A notice will be displayed on the entrance to and inside the premises stating the requirements of conditions (iv) and (v).
- (2) That Condition B3.2 – 'Delivery drivers will be requested not to park at the rear of the building to ensure that neighbouring properties are not caused any inconvenience' be removed.
- (3) The timings for Late Night Refreshment to remain as Monday to Sunday 23.00 to 00.00 hours.
- (4) That the Licence Holder be asked to take more responsibility for the litter around the premises and it be recommended that staff go out on a regular basis to litter pick.

REASONS

- (a) ***It is considered that the addition of these conditions serve to promote the prevention of the public nuisance and public safety objectives.***
- (b) ***Consideration has been given to all the powers available to the licensing authority under Section 35 of the Act and concludes that modification of the conditions on the licence is both necessary and proportionate in the circumstances.***

CHAIRMAN _____