



and representations made by two residents under 'Prevention of Crime and Disorder', 'Public Safety', 'Prevention of Public Nuisance' and 'Protection of Children from Harm'.

The Members and all relevant parties had received a copy of the report which included a copy of the application for review and the representations received. Additional evidence from Lancashire Constabulary had been circulated prior to the meeting and was submitted for consideration.

The Licence holder, Miss Amelia L. Abrahams, was represented at the meeting by Alissa Boothman, the manager of the premises.

Also in attendance was William Lewis, PBC Environmental Protection Officer who had applied for the review, along with PS541 Stephen Dundon of Lancashire Constabulary and residents Angela Crosby and Jochem Cheeseman who had all made representations.

## **RESOLVED**

That –

- (1) Miss Amelia Louise Abrahams, as the Designated Premises Supervisor (DPS) of premises at 'AJ's', The Butts, Barnoldswick, Lancashire, BB18 5HP be hereby removed as the DPS;
- (2) the licence be suspended for a period of eight weeks;
- (3) the licensing hours be amended so that the premises are to be closed by midnight (00:00hrs) with all licensable activities to cease at 23:30hrs on any given day;
- (4) following review of the existing conditions, it be agreed to amend the training conditions and include necessary conditions to address noise and anti-social behaviour issues. The condition additions/amendments at Appendix 1 to these minutes shall be imposed.

## **REASON**

- (a) ***Complaints were received about the premises regarding noise and anti-social behaviour in June 2024 and on 12<sup>th</sup> June 2024, Council Officers and the Police met with the DPS and a resident to discuss the complaints.***
- (b) ***Since that initial meeting, numerous meetings have been held with the DPS and Council Officers/Police. Actions were agreed in line with the Premises Licence conditions and advice was given on how to check noise levels.***
- (c) ***Complaints about noise and anti-social behaviour and noise recordings continued to be received by the Council/Police throughout 2025 and 2026.***
- (d) ***On 16<sup>th</sup> February 2026 an application for a review of the Premises Licence was received from the Environmental Health Team at Pendle Borough Council.***
- (e) ***On 16<sup>th</sup> March 2026, a formal representation to support the review application was submitted by Lancashire Constabulary.***
- (f) ***Also on the 16<sup>th</sup> March 2026, formal representations were made by two residents of the Butts, Barnoldswick.***
- (g) ***The burden of proof for the Committee is the balance of probabilities in order to take action regarding the licence.***
- (h) ***Miss Amelia Louise Abrahams as the DPS is responsible for the premises and there appears to be a continuing lack of control and a lack of effective management at the premises. Miss Abrahams appears not to be at the premises when live music events***

***are taking place and she does not appear capable of implementing and maintaining the necessary steps to ensure the licensing objectives are being promoted at these premises.***

***The matters set out in the paragraphs above have the effect of undermining the licensing objectives of the Prevention of Crime and Disorder and the Prevention of Public Nuisance.***

***The Government guidance issued under section 182 of the Licensing Act 2003 dated July 2023 “the Guidance” and the Council’s Statement of Licensing Policy (“The Policy”) have been considered in accordance with the Licensing Authority’s duty under section 4(3) of the Act.***

***Paragraphs 11.20 and 11.21 of the s182 Guidance states that in deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review. For example, licensing authorities should be alive to the possibility that the removal and replacement of the Designated Premises Supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.***

***In these circumstances it is considered that the removal of Miss Amelia Louise Abrahams as the DPS and also the addition/amendment of conditions serve to promote the crime prevention and prevention of public nuisance objectives.***

***Paragraph 11.23 of the s182 Guidance states that licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority’s decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the Licensing Authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.***

***In these circumstances and given the length of time that breaches of the licensing conditions have continued, the Committee considered that tough action needed to be taken to tackle the problems at the premises and that the suspension of the licence for eight weeks was necessary and proportionate.***

***It was established that people were being disturbed by unreasonably loud music at night and into the early morning when residents in adjacent properties were attempting to go to sleep or were sleeping. The reduction in the hours of opening and for live music were considered necessary and proportionate to tackle this issue.***

***In reaching its decision, the Committee took into consideration the following factors:***

- a. The report presented by Wajed Iqbal for the Council;**
- b. The submissions made on behalf of Environmental Health, Pendle Borough Council**
- c. The submissions made on behalf of the Police;**
- d. The submissions made by the residents;**
- e. The submissions made by the representative of the Premises Licence Holder;**
- f. The provisions of the Licensing Act 2003 and the four Licensing objectives;**
- g. The Human Rights Act 1998**
- h. The Council's Statement of Licensing Policy;**
- i. The guidance issued by the Secretary of State under s182 of the Licensing Act 2003.**

**Consideration has been given to all the powers available to the Licensing Authority under section 52(4) of the Act and concludes that the removal of Miss Amelia Louise Abrahams as the DPS, the suspension of the licence for a period of eight weeks and the addition/amendments of the conditions at Appendix 1 is both necessary and proportionate in the circumstances.**

CHAIR \_\_\_\_\_