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## Licensing & Appeals Sub-Committee

**Minutes of a Licensing & Appeals Sub-Committee meeting held at 10.30 am on Tuesday, 14th November, 2023 in the Committee Room, Town Hall, Matlock DE4 3NN.**

### PRESENT

Councillor Mark Wakeman - In the Chair

Councillors: Peter Dobbs, Susan Hobson and Mark Wakeman

Kerry France (Legal Services Manager), Lucy Harrison (Democratic Services Assistant), Tommy Shaw (Democratic Services Team Leader) and Eileen Tierney (Licensing Manager)

The party that raised the review and their representatives: PC Lora Holdgate (Licensing Officer, High Peak and Derbyshire Dales), Sgt Adam Harrison (Licensing Officer), Mr Adam Keenaghan (Legal Representative) and Fiona Brooks (East Midlands Police Legal Services).

The Premises Licence Holder and their representatives: Mr Luke Taylor (Premises Licence Holder), Mr John Taylor (Designated Premises Supervisor), Mr Chris Grunert (Legal Representative) and Mr Darrell Butterworth (Expert Witness).

Ms Amanda Goodwill (Environmental Health Manager), Mr David Cowley (Principal Environmental Health Officer), Mr Matthew Hulley (Environmental Health Officer), Cllr Susan Burfoot (Derbyshire Dales District Council), Cllr Steve Wain (Derbyshire Dales District Council) and Mr Richard Plant (Local Resident).

Press and Public

### APOLOGIES

Apologies were received from Councillor(s):

### 205/23 - ELECTION OF A CHAIR

It was moved by Councillor Susan Hobson, seconded by Councillor Peter Dobbs and

**RESOLVED** (unanimously)

That Councillor Mark Wakeman be elected as Chair of the Sub-Committee.

The Chair declared the motion **CARRIED**.

**206/23 - INTERESTS**

Councillor Susan Hobson informed the Hearing that she had previously been employed as a Police Officer.

**207/23 - APPLICATION FOR REVIEW OF A PREMISES LICENCE FORM THE CHIEF OFFICER OF POLICE FOR DERBYSHIRE - BULAN BAR AND NIGHTCLUB**

It was reported that, in accordance with the Council's Licensing Procedures, an application had been received for a Review of a Premises Licence made under section 51 of the Licensing Act 2003, by the Chief Officer of Police for Derbyshire.

The Chair invited the participants to introduce themselves, asked whether any party wished the Sub-Committee to consider the application in private and confirmed that the Sub-Committee was quorate.

The Licensing Manager gave an outline of the application.

The Sub-Committee and the other parties were afforded an opportunity to request clarification of the Licensing Manager's report.

The party which raised the review then presented their case to the committee. The Sub-Committee heard representations from PC Lora Holdgate and Mr Adam Keenaghan.

The Sub-Committee was given opportunity to question the party which raised the review.

All parties were then afforded an opportunity to request clarification of any points.

The Sub-Committee then heard representations from Ms Amanda Goodwill on behalf of the Environmental Health Service, Councillor Sue Burfoot, Councillor Steve Wain and Mr Richard Plant.

All parties were afforded an opportunity to request clarification of any points.

Mr Darrell Butterworth, the Licensee's expert witness, presented his report and associated recommendations to the Sub-Committee.

The Sub-committee were afforded an opportunity to question Mr Butterworth and all Parties present were given the opportunity to request clarification on any points raised.

Mr Chris Grunert, the Licensee's solicitor, then presented their case on behalf of Mr Luke Taylor, the Licensee.

The Hearing adjourned at 13:10 for lunch, the Hearing reconvened at 13:40.

The Sub-Committee had an opportunity to question the Licensee and their solicitor.

All Parties were afforded an opportunity to request clarification of any points.

The Licensing Manager, the Licensee and their representatives, and the party that submitted the application for a review were then all offered the opportunity to summarise their respective cases to the Sub-Committee.

The Sub-Committee members then confirmed that they had sufficient information to make a decision and withdrew into private session to discuss their findings.

## **208/23 - DECISION**

The Sub-Committee resumed in public session.

It was moved by Councillor Susan Hobson, seconded by Councillor Peter Dobbs and

### **RESOLVED** (unanimously)

That having considered all the evidence put before it, the Sub-Committee determined that the Licence should be amended to incorporate the following:

1. That the amendments, as recommended by the Chief Officer of Police for Derbyshire and included at Appendix 2, Item 5A to the report, be incorporated into the Premises Licence of Bulan (Bar and Nightclub) in order to safeguard the promotion of the following three licensing objectives: the prevention of crime and disorder; public safety; and the prevention of public nuisance.
2. That the Premises Licence Holder be required to complete the actions recommended by Derbyshire Fire and Rescue Service as included at Appendix 3 to the report in order to safeguard the promotion of public safety as a licensing objective.
3. That the amendments, as recommended by the Environmental Health Service and included at Appendix 3 to the report, be incorporated into the Premises Licence of Bulan (Bar and Nightclub) in order to safeguard the promotion of the following three licensing objectives: the prevention of crime and disorder; public safety; and the prevention of public nuisance.
4. That the recommended conditions arising from the review completed by Mr D J Butterworth, with the exemption of condition (a), due to contradiction of the recommendations of the Chief Officer of Police, as included at page 25 of the report submitted on behalf of the Premises Licence Holder be incorporated into the Premises Licence of Bulan (Bar and Nightclub) in order to safeguard the promotion of the following three licensing objectives: the prevention of crime and disorder; public safety; and the prevention of public nuisance.

The Chairman declared the motion **CARRIED**.

### Reason for Decision

The reasons for the decision are contained within the associated decision notice.

**Chairman**

**Meeting Closed: 3.18 pm**