

LICENSING SUB-COMMITTEE

At a meeting of this Sub-Committee held on
11 April 2024

(Present) Councillors C D Banks, J Banks and Laird

48 APPOINTMENT OF CHAIR

- * Resolved that Councillor C D Banks be appointed as Chair for this meeting of the Sub-Committee.

Councillor C D Banks here took the Chair.

49 DECLARATIONS OF INTEREST FROM MEMBERS

No Declarations of Interest from Members were made.

50 OBJECTION TO A TEMPORARY EVENT NOTICE (TEN) – BAR 44

Members of the Committee were advised that a Temporary Event Notice (TEN) had been received on 27 March 2024 for the premises known as 'Bar 44', 44-46 Westfield Street, St Helens, WA10 1QF ('the Premises'). The proposed premises user was Mr Thomas Glover ('Premises User'). A copy of the TEN detailing the licensable activities and hours of operation was appended to the report at Appendix A.

The Licensing Authority sent the TEN to Merseyside Police and Environmental Health on 27 March 2024. An Objection Notice was received from Merseyside Police on 28 March 2024. The reason provided by Merseyside Police for the Objection Notice was that they believed the TEN would undermine the licensing objective of the prevention of crime and disorder.

As the TEN had attracted an Objection Notice from a relevant person, the TEN was referred to the Sub-Committee for a hearing as prescribed by the Licensing Act 2003.

The Premises User attended the hearing and was not represented. A representative from Merseyside Police was in attendance to present their objection to Members.

A list of documents were appended to the report as Appendix A to C respectively. Since publication of the agenda, additional supporting evidence had been provided to the Sub-Committee to consider as part of its determination.

The Licensing Manager presented an outline of the report and Members were provided with an opportunity to ask any questions.

The Premises User was invited to present their case and answer questions from Members.

The Merseyside Police representative was then invited to present their case, following which there was an opportunity for Members to ask questions.

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All parties were invited to summarise their cases and the Sub-Committee then passed the appropriate resolution to enable the Sub-Committee to deliberate in private.

All parties then left the hearing whilst the Sub-Committee deliberated in private with their Solicitor.

The Sub-Committee carefully considered the Objection Notice and all of the evidence and information presented including the written representations made by all parties, the Statutory Guidance issued under Section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy.

* **Resolved that, on the balance of probabilities, the Sub-Committee considered the following step to be appropriate for the promotion of the licensing objectives:**

- **Decision that the event should not take place and to give a Counter Notice.**

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